

JOHN CHISHOLM TO THE GOVERNOR.

1795.
Sept. 2,
Richmond

On the 22nd of July last I left Philadelphia with ten Indians of the Chickasaw and Chactaw Tribes, bound to Knoxville. On the same day sundry goods, to the amount of six wagon loads, were shipped from thence principally in one vessel, and a small part in a second. It was expected that these vessels would arrive here as early as my party, and that I should proceed taking the goods with me immediately, and my expenditures were calculated accordingly. It has, however, so happened that both these vessels, by the late storms and high waters, have been delayed in their passage, that which contained the great bulk of goods until the 27th of August, owing to her being driven ashore at Norfolk in the first storm, and when she was got off, being prevented from proceeding up James River by the second storm and an high fresh. The other vessel did not get up the River until the 29th, but I should not have waited for her had I not heard of her being near at hand when I had got the goods from on board the first.

When I found the vessels, particularly that which had on board the great bulk of goods, were detained on their passage, I judged it best, with the advice of Colo. Edw'd Carrington, to remain here with the Indians until at least the principal one got up, as it would have been equally injudicious to separate myself from either the Indians or the goods; nor, indeed, was it at first foreseen that repeated impediments would extend the delay so long as they have.

The consequence of these events has been that the Indians and interpreters with their horses have been more than one month longer on expence here than was estimated, and occasions a deficiency of money in my hands to the amount of 1000 dollars. It being impossible for me still to remain here with so great a charge, to obtain a remittance from the War Office, and there being no authority under the federal Government within my reach to which I can resort, I am reduced to the necessity of submitting my situation to your Excellency and the Executive, requesting that, from the urgent necessity of the case, a sum equal to that which I have stated may be advanced me on account, which I will give such receipts for as will obtain from the Secretary of War an immediate reimbursement.

Should it be the wish of the Executive to be furnished with any further information or explanation on the subject, I shall be ready to attend for that purpose to any extent that shall be satisfactory.

I have, &c.

JOHN BARNES TO JAMES WOOD, LT.-GOVERNOR.

On the 14th ult'o I did myself the pleasure of addressing you in answer to your favor of 3rd (to which please refer), and have now the satisfaction of advising you that the annexed four cases were yesterday shipped on board the said Schooner Betsey (a well-formed vessel), already sailed, and by whom I addressed a letter covering Bill of lading to Capt. John Lester at Rocket's landing, to whom consigned. 1795. Sept. 2, Philadelphia

You will perceive by the statement that 9 copies Acts of the State are wanting. This deficiency was owing to so many being soiled or imperfect. The rest, as well the Military Exercises, have been duly inspected—the former by F. A. Mulenburg, Esq., whose certificate to Mr. Cist I have seen; the latter by Colo. Pickering. For the rest I flatter myself with your approval also, and if at any future period I could be useful, I should be happy in receiving your commands.

With perfect Esteem, I am, &c.

EDWARD CARRINGTON TO THE GOVERNOR.

The case of Capt. Chisholm is one which falls into no latitude of general authority possessed by me, nor has any special instruction or request of the Secretary of War extending to pecuniary advances to him in any event reached me. It would, therefore, be highly improper for me to make him an advance upon any other than a private ground. The only request ever made of me in regard to Capt. Chisholm was, that I should spur Mr. Ball in procuring the wagons for transporting the Indian goods to Knoxville; but so far from being requested to advance money, I was informed that Capt. Chisholm had been fully furnished with that article. It appears to me that discretionary interposition should rest with the best attainable authorities, and that this principle directs Capt. Chisholm to the Executive in this case is certainly not to be doubted. There is a confidence existing between that body and the Federal Government in discretionary instances, which ought not to be calculated on as to the local officers, whose duties are defined. It is highly probable that had the detention of Capt. Chisholm been foreseen, the Secretary of War would have provided for his receiving the further monies thereby required. The detention was not foreseen, and of course no provision was made; the fact, however, is, that he has been detained from the causes mentioned in his letter to your Excellency at least one month longer here than was expected or calculated on; it is also certain that the causes by him stated are within the knowledge of the Executive. That there would be a want of more money than was calculated, appears an inevita-

Sept. 3,
Inspector's
Office

1795.
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Inspector's
Office

ble conclusion; that he cannot here obtain an advance from the War Office is equally evident; a discretionary interposition from somewhere follows of course, and that discretion will certainly be more acceptably exercised by the Executive of the State than by a local officer of the Federal Government.

Agreeably to what passed between your Excellency and myself yesterday, Capt. Chisholm is in readiness to exhibit the sum advanced him at Philadelphia and his expenditures, with vouchers. He will also exhibit the objects for which he requires a further sum. I have no doubt that if, upon examination of Capt. Chisholm's account, it shall appear to the Executive that the advance he requires is a reasonable one, as founded upon the circumstances of his case, their judgment thereon will be fully credited by the Secretary of War, and the money advanced, cheerfully refunded.

I have, &c.

Know all men by these presents, that I, John Chisholm, of Knoxville, in the Southwestern Territory of the United States, firmly bound unto Robert Brooke, Commonwealth of Virginia, successors, for the use of the and full sum of two Dollars, and for the payment of which I bind myself, my heirs, executors and administrators firmly by these presents, sealed with my seal, and dated this third day of September, one thousand seven hundred and ninety-five.

The condition of the above obligation is, that whereas the Executive of Virginia have on the written request of the said John Chisholm advanced to him one thousand dollars in addition to the advances made to him by the General Government for the purpose of defraying the expenses incurred and to be incurred by the said Chisholm in conducting certain Indians of the Choctaw and Chickasaw tribes to their respective counties, and in the transportation of certain goods and merchandize from Philadelphia to the said counties; and for the said one thousand dollars the said Chisholm hath drawn a Bill on Timothy Pickering, Esq., Secretary for the Department of War of the United States.

Now if the said Timothy Pickering shall pay or cause to be paid the said Bill of one thousand dollars according to the tenor thereof, then the above obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed, and delivered in presence of Sam. Coleman.

[The blanks in the foregoing bond are caused by the mutilation of the original from which copied. The name of John Chisholm, originally written here, torn out.—ED.]

WILLOUGHBY TEBBS TO THE GOVERNOR.

The Light Infantry Company belonging to the 1st Battalion of the 37th Reg't being complete, are desirous through me to procure of the Executive arms, if they can be obtained. Shall esteem it a particular favor to be informed as soon as conv't.

1795.
Sept. 3,
Dumfries

With, &c.

TIMOTHY PICKERING TO THE GOVERNOR.

Colo. John Steele left in my hands nineteen hundred dollars to pay Sept. 14,
Charles Cist, of this city, for 3,000 copies of the Regulations for the Order Philadelphia
and Discipline of the Troops of the United States, and one thousand
copies of certain laws of Virginia which were to be translated and printed
in the German language. The former have been neatly executed agree-
ably to contract, and the certificate of F. H. Muhlenberg inclosed will
satisfy you that the latter also are entitled to the same approbation. I
have, therefore, paid Mr. Cist according to Colo. Steele's request, as by his
acc't and receipt inclosed. But the defect of nine copies of the laws
leaves three dollars and sixty cents still in my hands subject to order.

Not knowing Colo. Steele's residence, I address you on the subject, as
the business wholly concerns the State of Virginia.

I am, &c.,

P. S.—I wish my receipt to Colo. Steele may be sent me.

At a Court held for the County of Augusta, August, 1793:

The Commonwealth vs. William Greever, Sen'r, Philip Greever, and Wil-
liam Greever, Ju'r, Def'ts. On an Information for Killing Deer out of
Season.

Sept. 15

Augusta County—to-wit:

Be it remembered, that Archibald Stuart, Gent., who prosecutes
for the Commonwealth in this county court, comes and gives the said
court here to understand and be informed that by two acts of the Gen-
eral Assembly—one passed in the ninth year of the reign of George the
Second, in the year 1738, Intitled an “act for the better preservation of
the breed of Deer and preventing unlawful hunting,” and one other
passed in the 12th year of the reign of George the third, intitled an act
to amend an act intitled an “act for the better preservation of the breed
of Deer and preventing unlawful hunting”—the killing of Deer is lim-
ited to certain times under certain penalties.

And the said Archibald Stewart gives the court here further to under-

1795. stand that William Greever, Sen'r, Philip Greever, and William Greever,
 Sept. 15 Jun'r, on the — of July, in the year 1792, at the parish of — and
 County aforesaid, did unlawfully and wickedly kill and destroy three
 Deer to the evil example of all others in the like case, offending against
 the form of the statutes in such case made and provided, and against the
 peace and dignity of the Commonwealth of Virginia.

Alexander Crawford, of Augusta County, farmer, is the prosecutor.

To this Information the Defendants, by their attorney, plead not
 Guilty. Whereupon there was a trial and verdict—that the Defendants
 are guilty of killing two Deer within the time prohibited. It is there-
 fore considered by the court that they forfeit and pay to the Com-
 monwealth five pounds to the use of the county of Augusta towards lessening
 the parish levy thereof, and that they pay the costs of this prosecu-
 tion, and may be taken, &c.

Teste:

JACOB KINNEY, C. A. C.

BY THE GOVERNOR OF THE COMMONWEALTH OF VIRGINIA—A PRO-
 CLAMATION.

Sept. 15 Whereas I have received information that the city of Philadelphia,
 the Grenades, and the Island of Tobago are infected with the Plague, or
 other infectious Disease, and it is probable the same may be brought
 into this Commonwealth—I have therefore thought fit, by and with the
 advice of Council, to direct that all vessels coming from either of the
 aforesaid places do make their quarantine at the anchorage ground off
 Craney Island, near the mouth of Elizabeth River, for the space of
 twenty days; and I do hereby strictly enjoin and require, that until such
 vessels shall be discharged of such quarantine, all persons coming, or
 goods imported, in such vessels come not on shore, or go on board any
 other vessel, or be landed or put into any other ship, vessel, or boat, in
 any place within this Commonwealth; and also, that no person go on
 board any vessel ordered to perform quarantine without licence first had
 and obtained in writing under the hand of Thomas Newton, in the town
 of Norfolk, who is hereby authorized and appointed to see such quar-
 antine performed. And all Pilots are hereby desired to give notice to the
 above-named Superintendant of the arrival of all vessels from the afore-
 said places, and to conduct them to the place assigned for their perform-
 ance of quarantine.

Given under my Hand as Governor and under the Seal of the Com-
 monwealth, at Richmond, this 17th day of September, in the year of our
 Lord 1793, and of the Commonwealth the eighteenth.

HENRY LEE.

EDMUND WINSTON TO THE GOVERNOR.

The late Sheriff of Campbell County informs me an Execution is sent up against him for about £200 the balance due to the public for Taxes of 1783, and nearly the same sum the Damages on about £1,400, the amount of the Judgment in June, 1784.

The Gentleman first appointed in this County resigned his office after one year; the two next declined it altogether, on a supposition the Public Revenue could not be collected. The severity of the winter of 1784, and the general scarcity the next summer, greatly retarded the transportation of our Tobacco to market; besides, the latter circumstance lessened the ability of people who were compelled to give a treble price for grain, and go a great distance for it.

I am entirely persuaded the default of the late Sheriff was occasioned by the utter impossibility of making the collections, and not by the negligence or dishonesty of his deputies, and I should not take the liberty of addressing your Excellency on this subject, but that I am well acquainted with the men and the condition of the county.

Mr. Hunter tells me the judgment, except as to the damages, he has reason to think has been provided against some time ago, but was not paid from some circumstances not foreseen.

I have, &c.

WM. SIMMONS TO THE GOVERNOR.

The Treasurer of the United States will remit to Jaquelin Ambler, Treasurer of the State of Virginia, the sum of twenty-eight thousand six hundred and twenty-two dollars and eighty-four cents, being in full for the balance of the account of the State of Virginia for the pay and subsistence of the Militia, pay of the Scouts, ammunition furnished for their use, and contingent expenses in the protection of her frontiers; also for the pay and incidental expenses of the Militia ordered to arrest a privateer fitting out at Smithfield in July, 1794, and for pay and subsistence of a detachment of Militia Artillery stationed at Fort Nelson, 1791, for which sum you will please sign the receipt the Treasurer of the United States will remit you, and have a duplicate thereof forwarded to this office as soon as possible.

I am, &c.,

1795.
Sept. 17

Aw. DUNSCOMB TO LIEUTENANT-GOVERNOR WOOD.

1795.
Sept. 18,
Richmond

Sundry of my fellow-citizens have communicated to me that divers free negroes, who have come from the West India Islands and other places to this State, are ranging at large through the same—a circumstance which forebodes no good, but may be productive of much evil by effecting a change in the views or conduct of the domestics and others of this State.

Upon an examination of the laws I find that the General Assembly has anticipated the subject, and I judge from well-grounded apprehensions have passed a law prohibiting the migration of such persons into this Commonwealth. This law, as it is not confined in its influence nor partial in its effect, requires a general remedy. Permit me, therefore, to refer the Executive to the *law, in order, should they view the matter in the same light as those who have conversed with me, they may cause the same to be published for a limited time for the general information of all, and also judge of the propriety of furnishing each proper officer at the ports of entry in this State with a copy of the law, that none may plead ignorance, the law be respected, and our people remain uncorrupted.

I remain, sir, &c.

P. S.—It might be mentioned that it would be extremely difficult, if at all practicable, to find either the imported master of vessels, or to recover the expense attending any act of a justice under the law.

A. D.

*Page 328, Collection of Laws.

Aw. DUNSCOMB TO LIEUTENANT-GOVERNOR WOOD.

Sept. 18,
Richmond

In reply to the communication you made to me yesterday, I have to observe that orders had been given by the Committee of the Hall on Tuesday last for the burial of the man who died on Monday night at the anchorage ground, but that through the inattention of those whose duty it was it was not done until Wednesday.

I have also to inform you that I communicated to the Committee the desires of the Executive relative to the permitting those belonging to the vessels under quarantine to go on shore, and was told that if done, it must have been by stealth. The officer is strictly enjoined to observe the orders given in writing, one of which does pointedly forbid the privilege to any but the guard, and the necessary supplies are directed to be sent by them.

I am, &c.

Wm. PRICE TO A. DUNSCOMB, Esq.

From the number of applications which have been made to me by the captains of the patrols of my battalion, to procure for them a house to confine vagrants and disorderly persons which they may take up in the course of the night, in order that they may be brought to justice the next morning.

1795.
Sept. 20,
Richmond

I now solicit your aid (being the proper person) in that business, for a house of that kind I conceive to be absolutely necessary from the number of disorderly persons which this place is infested with.

Upon application to the Governor, I have not the least doubt the old prison under the hill might be obtained, which would answer exceedingly well. If you succeed, I will use my best endeavors to have constant and well-regulated patrols kept up by the militia under my command.

I am, &c.

JNO. HAMILTON TO THE GOVERNOR.

I have several times had occasion to trouble your Excellency on the subject of vessels coming down from Baltimore and arming in the waters of the Chesapeake as Privateers in contravention to the regulations promulgated by the President of the United States to prevent illegal equipments.

Sept. 24,
Norfolk,
British Con-
sul's Office

I must again solicit your attention on that head, as I have just received information, the correctness of which it is not allowed me to doubt, from Baltimore of the sailing from thence about ten days ago of a vessel in every respect equipped as a Privateer save in the article of Guns, which it is intended to put on board her in some part of this Bay, and that three similar vessels, with like views, are about this time ready to come down for the same purpose. As by such means the Proclamation of the President of the United States is contravened, and the before-mentioned regulations are eluded, I must beg leave to request that your Excellency will be pleased to give such directions as to you may seem proper to the officers of the militia of this State, and which may serve to prevent any violation of the strict Neutrality to be observed therein by the illegal equipment of any vessels as Privateers in any of the waters thereto appertaining.

I have, &c.

MEMO.—The Books and Laws printed in Philadelphia are arrived. I have desired Mr. Lester to send them to the Capitol—get an order for payment of Freight, Drayage, and Storage, &c.

J. AMBLER TO THE GOVERNOR.

1795.
Sept. 24,
Treasury

I beg leave to lay before the Honorable Board for direction, copies of a letter and receipt which this day came addressed to me from the Treasurer of the United States.

I cannot of myself with propriety sign a receipt expressing that the sum therein mentioned is the balance due on a settlement, of which settlement I am entirely ignorant, nor will the Law, I think, justify me in admitting drafts into this office in lieu of money unless sanctioned by superior authority,

I am, &c.,

SIR:

The Secretary of War having issued a warrant for 28,622 84 cents, which is directed to be transmitted to you, you will find that amount enclosed in sundry drafts in your favor as p'r List below. I have, therefore, to request you will sign the enclosed Receipt of the accountant of the War Department and forward it to me by earliest opportunity.

I am, &c.,

Signed:

SAM'L MEREDITH,
Treas'r U. States.

To J. Ambler.

| | | | |
|-----------|--------------------------------------|-------|------------------|
| No. 7101, | draft on D. Harris, Esq., Baltimore, | - - - | \$ 4,422 84 |
| 7102, | E. Carrington, Esq., Richmond, | - - - | 1,000 00 |
| 7103, | J. M. C. Lingar, Esq., George Town, | - - - | 1,500 00 |
| 7104, | W. Lindsay, Esq., Norfolk, | - - - | 8,200 00 |
| 7105, | W. Heth, Esq., B. Hundred, | - - - | 1,000 00 |
| 7106, | L. Muse, Esq., Tappahannock, | - - - | 1,500 00 |
| 7107, | Jno. Fitzgerald, Esq., Alexandria, | - | <u>11,000 00</u> |
| | | | \$28,622 84 |

Copy.

Received —, 1795, from William Simmons, Accountant of Department of War, through the hands of Samuel Meredith, Treasurer of the United States, the sum of Twenty-eight thousand six hundred and twenty-two dollars and eighty-four cents, in full of the balance appearing due the State of Virginia, on settlement of their account for the pay and subsistence of the Militia, Pay of the Scouts, ammunition furnished for their use, and contingent expenses in the protection of her Frontiers; also for pay and incidental expenses of the Militia ordered to arrest a privateer fitting out at Smithfield in July, 1794, and for the pay and subsistence of a detachment of Militia Artillery stationed at Fort Nelson in 1791, and for which I have signed duplicate receipts.

Dollars 28,622 84-100.

J. P. TO MR. BLAIR.

Please to favor me with the sum p'd by G. Gov't for printing our Laws
in German language.

1795.
Sept. 24,
Treasury

REPORT OF COMMITTEE TO EXAMINE TREASURER'S OFFICE.

The Treasurer being enjoined to close the Accounts of his Office on the 30th day of September, annually, we the underwriters (thereto appointed by the Executive at the request of the Treasurer), repaired to the Treasury on the morning of the First of October, in order to ascertain the amount of Money, Tobacco and other facilities actually in the Treasury received on public account, and constituting the balance due therefrom on the 30th of September, 1795.

Oct. 1

Having examined and carefully counted and weighed the money, we find it amounts to Eighty-six thousand six hundred and thirty four Dollars and sixty-nine Cents—part of which, viz: the sum of Eleven thousand three hundred and sixty dollars thirty-three cents belonging to the aggregate fund, is reserved as the Law directs for the discharge of aggregate fund Warrants.

We find also Tobacco Notes in the Treasury received on public account since the last sale, viz: for 37 hhds, Quantity 40,514 lbs. of crop, and 1,203 lbs. nett Transfer, which at the rate received by Law amount to One thousand seven hundred and forty-eight dollars and forty-eight cents.

We find also Indents to the amount of Twenty-nine dollars and forty cents, and of one for forty, money to the amount of one hundred and seventy-six dollars, which have been paid into the Treasury in discount for certain Taxes as the Law directs.

Examined and Certified.

EDMUND HARRISON,
CARTER BRAXTON.

Treasury of the 1st of October, 1795.

| | | | | | | | | |
|-------------------------------|---|---|---|---|---|---|----|----------|
| Bag No. 1, 800 Crowns, | - | - | - | - | - | - | \$ | 880 00 |
| Bag No. 2, 1,133 Half Crowns, | - | - | - | - | - | - | | 625 90 |
| Bag No. 3, 800 Crowns, | - | - | - | - | - | - | | 880 00 |
| Bag No. 4, 800 Crowns, | - | - | - | - | - | - | | 880 00 |
| Bag No. 5, 1,000 Crowns, | - | - | - | - | - | - | | 1,100 00 |
| Bag No. 6, 1,000 Crowns, | - | - | - | - | - | - | | 1,100 00 |
| Bag No. 7, 900 Crowns, | - | - | - | - | - | - | | 990 00 |
| Bag No. 8, | - | - | - | - | - | - | | 1,215 00 |
| Bag No. 9, | - | - | - | - | - | - | | 1,000 00 |
| Bag No. 10, | - | - | - | - | - | - | | 1,000 00 |

| | | | | | | | | | | |
|-----------------|---|---|---|---|---|---|---|---|---|-------------|
| 1795. Oct. 1 | Bag No. 11, | - | - | - | - | - | - | - | - | 1,000 00 |
| | Bag No. 12, | - | - | - | - | - | - | - | - | 1,000 00 |
| | Bag No. 13, | - | - | - | - | - | - | - | - | 1,000 00 |
| | Bag No. 14, 465 Crowns, | - | - | - | - | - | - | - | - | 511 61 |
| | Bag No. 15, | - | - | - | - | - | - | - | - | 576 55 |
| | Bag No. 16, | - | - | - | - | - | - | - | - | 500 00 |
| | Bag No. 17, | - | - | - | - | - | - | - | - | 178 00 |
| | Bag No. 18, | - | - | - | - | - | - | - | - | 105 00 |
| | Bag No. 19, | - | - | - | - | - | - | - | - | 311 00 |
| | Bag No. 20, | - | - | - | - | - | - | - | - | 238 70 |
| | Bag No. 21, Bank Notes, | - | - | - | - | - | - | - | - | 21,135 29 |
| | Bag No. 22, Collection Tappahannock, | - | - | - | - | - | - | - | - | 3,000 00 |
| | English and Portugal Gold, 1519 oz., 1 dwt., 5 gr., | - | - | - | - | - | - | - | - | 27,005 51 |
| | French and Spanish Gold, 1,141 oz., 11 dwt., 3 gr., | - | - | - | - | - | - | - | - | 19,998 06 |
| | | | | | | | | | | |
| | | | | | | | | | | \$86,230 62 |
| | Eight parcels Half Dimes, equal to | - | - | - | - | - | - | - | - | 400 00 |
| | | | | | | | | | | |
| | | | | | | | | | | \$86,630 62 |
| | Add 1 M Cents, | - | - | - | - | - | - | - | - | 10 00 |
| | | | | | | | | | | |
| | | | | | | | | | | \$86,640 62 |

W. TRUE TO THE GOVERNOR.

Oct. 2,
Land Office Having gone through and compleated the records and papers belonging to that part of this office called the Northern Neck, or late Proprietor's office, agreeable to a Resolution of the Gen'l Assembly, passed the 22nd of December last, must beg leave (in order to compleat the other part of the business) to lay before the Executive the said Resolution, and request that the work may be imputed and such compensation allowed as may be thought deserving.

Your most obed't Servant.

JNO. HOPKINS TO JAMES WOOD, LT.-GOVERNOR.

Oct. 3,
Richmond I am requested to purchase for account of James Watson, Esq'r, of New York, about Five Hundred Thousand acres of Land Warrants, for the payment of which I have bills on New York, but these bills cannot be immediately disposed of. I have, therefore, to request permission to take out these warrants upon making an ample deposit to pay for them in a reasonable time. The deposit will consist in Military Certificates of

this State and in the several species of stock of the United States, and in all cases the deposit shall exceed the amount in value.

1795.
Oct. 3,
Richmond

I have, &c.

THOS. NEWTON TO THE GOVERNOR.

I have now the pleasure to inform you that very few are sick here, and I am of opinion the town never was more in health of a fall than at present.

Oct. 3,
Norfolk

A vessel arrived from New York, the crew in health: the reports from there are alarming, but suppose exaggerated. I should be glad to know whether they are to perform a quarantine of a few days or not; as they are not comprehended in the proclamation, I am at a loss how to proceed.

Your advice will oblige me much.

I am, &c.

At a Court held at the Court House for the County of Princess Anne, the 5th day of October, 1795, in the 20th year of the Commonwealth of Virginia—James Blamise and James Dawley are recommended as proper persons, one of whom to be appointed Sheriff in the room of Thos. Wishart, Ju'r, who failed to give security.

Oct. 3

R. QUARLES TO THE GOVERNOR.

Inclosed I send the usual quarterly return of military stores under my direction. The Honorable Board will observe that there is still a considerable number of the military stores which were Lent to the Continent that are not yet returned.

Oct. 5,
Point of Fork

I have Major Langham's promise that his exertions shall be used in forwarding them, but he apprehends that many of them are irrecoverably lost. As soon as I have obtained as many as the commissary of Military Stores can command, I will transmit a statement thereof to the Board.

I wish to remark that the Executive have heretofore granted rations to Mid. Jordan (a soldier at the arsenal), and likewise to his wife and daughter. The said Jordan is now becoming too old and infirm to discharge the duties of a soldier, and under the circumstances, I wish the advice of the Executive. The man has been an old and, I believe, a faithful soldier in the American Revolution, in the cause of which he received a number of wounds.

I am, &c.

R. QUARLES TO THE GOVERNOR.

1795.
Oct. 6,
Richmond

I have to solicit your Excellency's recurrence to my former application to the Honorable Board respecting an increase of the salary of my office. I state no new pretensions on this occasion, having fully exhibited them in my former letter, nor would I trouble the Hon. Board with this Petition were it not from an apprehension that my former applications have not commanded their attention. Under a reliance that the Hon'ble Board are sufficiently acquainted with the fatigue and confinement attendant on my office to determine at first view that my services are at least equal to a captaincy under the Congressional establishment, I trust they will direct that my pay and emoluments be made equal also.

I have, &c.

JOHN HAMILTON TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Oct. 6,
Norfolk

I have to acknowledge the receipt of your very polite favors of the 26th ultimo and the 1st current, the last of which informs me that the Council of State are of opinion that the orders heretofore given to the commandants of the Militia, in conformity to the regulations laid down by the President of the United States, are fully adequate to prevent the illegal equipment in the waters of this State of any vessels of the description of those pointed out in my letter to the Governor of the 24th ultimo. I need, therefore, only express my hopes that no vigilance will be wanting on the part of officers of the militia, in the carrying into execution those orders when circumstances require it.

The clandestine measures made use of by the persons concerned in the Baltimore vessels alluded to, have hitherto frustrated any endeavors to ascertain the places where they propose to take their guns on board. As soon as I am furnished with sufficient information on that subject I shall not fail to communicate it to the Executive of this State, with a reliance that the proper steps will be taken to prevent their purposes from being effected.

I have, &c.

J. AMBLER TO THE GOVERNOR.

Oct. 6.
Treasury

There are in the Treasury 37 hhds. of Crop, and about 1,200 weight of Transfer Tobacco, which have been received in part of the old arrearages of Taxes. Some of the notes are growing out of date, and there is little prospect of our receiving soon a quantity sufficient to justify incurring

the expense of a public sale. I therefore beg leave to suggest to the Honorable Board whether it will not be advisable to dispose of this small quantity of Tobacco at private sale on the best terms that can be procured for it, to be paid for either in specie or aggregate fund warrants.

1795.
Oct. 6,
Treasury

I am, &c.

AW. DUNSCOMB TO THE LIEUTENANT-GOVERNOR IN COUNCIL.

The inclosed letter was just handed to me from the Committee of the Common Hall. As I concur in opinion with them you will be pleased to lay the same before the Council, that their opinion may be ascertained. I should have waited on you in person, but am confined to the house with a bad cold in my bones.

Oct. 6,
Richmond

I am, &c.

RICHMOND, Oct. 6th, 1795.

SIR:

The Committee agreeable to the orders of the Lieutenant-Governor, have given orders to the officers commanding the Guard ship to let all vessels from Norfolk proceed up to Rockets or Manchester without delay, but the Committee think it necessary that the Guard should still continue to stop all vessels from New York to this place, as they find by the Enquiries they have made, that the fever still rages in that city. By a private letter from a Gentleman to his brother who is now in this Town we are informed, that on the 26th of Sept., 31 persons died; we observe also that by the report of the Committee of Health of New York as published in the Philadelphia papers, that on the 27th, twenty-seven persons died, and on the 28th, 31 died. We also are informed by a passenger on board a vessel from New York now performing Quarantine, that the disorder had not abated when he left that place 12 days since.

Oct. 6

We are, &c.

WM. RICHARDSON,
JACOB I. COHEN.

A statement of sundry services performed by the Register of the Land Office under a Resolution of the Gen'l Assembly passed the 22nd of December, 1794, Together with his supposed value of the work, Including his attention to the examination, &c.:

Oct. 16

To the Transcribing and Examining a Record of conveyances
from the late Lord Proprietors to Individuals from the year
1694 to 1700, containing 240 pages of uncommonly bad

| | | |
|------------------|--|----------|
| 1795. Oct. 16 | writing. In consequence of copying the courses, distances, and dates at length, it took 321 pages of the largest size paper, | \$125 00 |
| | To comparing the General Alphabet with the different conveyances (being upwards of 8000), correcting and adding the quantity of acres to each name. In order to make this examination, the conveyances contained in twenty-three large Books were severally referred to, | 120 00 |
| | To copying the same into a well-bound Book, including three other Alphabets (belonging to the Records compleated since the removal of the above-mentioned Books into this office), and Examining the same, | 95 00 |
| | To making an Alphabet to each of the above-mentioned twenty-three Books separately and examining them, | 80 00 |
| | To attending and directing the Binding and repairing the above-mentioned Books, | 35 00 |

OCTOBER, 1795.

We, the committee appointed to examine the extra services performed by the Register of the Land Office in pursuance of a Resolution of the last Assembly, have examined and compared the same with the within charges, and think them reasonable.

HARDIN BURNLEY,
CARTER BRAXTON.

PETERSBURG, October 30th, 1795.

Received into my custody from the hands of David Organ, as Agent of this State, the body of Mathew Gordon alias Goodwing, a fugitive from Justice, as per State warrant.

RICH'D KLAUMAN, Serg't T. P.

Teste:

HECTOR MCNEIL.

ALEXANDER WELLS TO THE GOVERNOR.

Nov. 2, Impelled by a sense of the indignities that have been offered to the Ohio County Government under which I am protected, and every good citizen, I feel in a measure constrained to present this address to your Excellency, in hope that these griefs, which we so sensibly feel, may be removed. It is with the greatest pleasure that I can assure your Excellency, that when Riot and Misrule prevailed in this Western country that men of any

degree of good character or understanding were not found among them, and that the number of such was much larger than might be expected. We were then the suffering objects of compassion; our feelings as men of delicacy were insulted; our lives, our property, were the first victims that were to become a sacrifice to this enraged, unruly Monster. But thanks be to the Great Director of all Events, by the vigorous exertions of our Government, we have been delivered from those fears, in part. For what do we now see? Do we not see men who has issued their most pointed threats against individuals for their attachment to order and good rule, and marking their persons and property as the first victims of their fury and revenge, sitting as Judges in our Courts of Justice, and brandishing the Military sword of power over our heads, and judging and commanding the men that were obnoxious to them for their attachment to Government—by the authority of that Government they have contemned and despised!

1795.
Nov. 2,
Ohio County

What hope can there be, should the like tumult be again about to take place, for any opposition to be made by the internal powers of these counties, while the power of the sword, or any part of that power, is in the hands of avowed insurgents, or how will any citizen dare to give information of any attempts of the kind—while it may be with propriety said that the insurgent streaks and the good citizen sneaks; while the insurgent is dignified with the offices of the county, both civil and military, and these men who have been most pointedly obnoxious to them must obey their commands and abide by their decision. Good sir, these things ought not to be so. It may be said that there has none been found guilty in this State. How they have escaped the punishment of the Civil Law we cannot tell. But their actual guilt is too well known to us to need either evidence or discussion. We therefore humbly hope your Excellency will remove all such from all offices of power or trust in these counties, as we who have distinguished ourselves as their opposers are not safe in our persons or properties, setting aside the disagreeable sensations it produces in our feelings. But above all the rest, Wm. McThenley and Wm. Sutherland, these men being naturally overbearing and insulting, and at all times scarcely sufferable, but under the present circumstances most intolerable.

The facts asserted need no illustration of argument, or helps from evidence; they are notoriously known. The consequences attending every one who will give themselves the trouble to suggest themselves in our case will naturally feel the force of our complaint. I speak in the plural tense, for it is not the complaint of one but many. Altho' I have ventured to address your Excellency in my own person, yet if necessary every one who felt their insults will express themselves in the same manner if required. Mr. Wells, a member from this county, can perhaps give some further intelligence, if required.

I remain, &c.

1795.
Nov. 2

The Committee appointed to examine the Auditor's accounts from the 1st of January to the 1st of April, 1795, have examined and compared the warrants issued with the vouchers, and find them to be correct.

HARDIN BURNLEY.
CARTER BRAXTON.
EDMUND HARRISON.

THOS. NEWTON TO THE GOVERNOR.

Nov. 4,
Norfolk

By accounts from N. York, and the vessels which arrive from the West Indies being generally healthy, together with the advanced season of the year, I apprehend there can be no danger of infection from the late prevailing fever being brought into this State, and that the look-out boat may now be safely discharged. Should your Excellency be of opinion that she may, be pleased to write Mr. Theo. Blanchard, who will have it done, as I shall be on my way to the Assembly.

I am, &c.

Captain Holloway has put into a Committee room in the Capitol sixty-five muskets, fifty-nine Bayonets, and sixty-two Cartridge Boxes, which had been drawn by Major William Price, who then commanded the Company.

These arms and accoutrements are placed in the care of the Keeper of the Capitol, until the pleasure of the Executive is known with respect to them.

SAMUEL COLEMAN.

RICHMOND, Nov. 5, '95.

The balance of the arms delivered Major Wm. Price are now in the care of Capt. Holloway, ready to be delivered.

THOS. NEWTON TO THE GOVERNOR.

Nov. 5,
Norfolk

Since writing your Excellency of the 3rd, a vessel is arrived from Martinique with an infectious disease, which I have directed to perform a quarantine of 20 days. The Capt. is dead and the crew all sick.

Capt. Baret, who attends the Q'r, has directions to see it properly performed, and I have directed all necessary supplies. This vessel is a British Bottom called the Betsey, or Capt. Shays, which I have duly published to prevent any persons going on board.

From this circumstance I think a discretionary power should be left

to Q'r to oblige vessels infected to lie some days. I have informed Mr. Thos. Blanchard to attend in my absence, and in a few days I hope to see y'r Excellency and give you a full account of all things necessary in this case.

1795.
Nov. 5,
Norfolk

And am, &c.

W. H. CAVENDISH AND THOS. LEWIS TO THE GOVERNOR.

As we feel some degree of anxiety for the payment of the militia stationed in the Counties of Greenbrier and Kanawha in the years 1793 and '94, it is with some regret we learn from Gen'l Tate that Instructions are given him which, if strictly adhered to, will produce great embarrassment in settling the claims of those persons who have given credit to those soldiers in expectation of receiving their demand out of those soldiers.

Nov. 7

As we are in some degree acquainted with the circumstances of Transactions in these parts, permit us to lay a statement thereof before you. The soldier gives an order to the Creditor on the paymaster for the sum due, amounting some time to part, some time to the whole of the pay due him; as there is no prescript form for drawing these orders, no uniform mode has been observed in this respect, nor can the paymaster from the order know whether it be genuine or not; to supply this defect we directed the holders to get these orders proved before a magistrate by some person who saw the giver of such order acknowledge the justice of it. This, we think, will in some degree obviate the inconvenience, but another arises which can by no means be so rectified as to enable the paymaster to judge with precision, and in which he must act from the information of others. The case we mean is that the soldiers employed were at the several periods of their services dismissed without any discharge being given them. They are now generally dispersed into various States and Counties, so that requiring the claimant to produce a discharge of the person under whom he claims will be little less than a denial of payment, and even admitting a discharge had been given them, it could not answer any purpose where the money due the soldier is the property of sundry claimants.

As we understand, the Executive are minded to reconsider this business, and if proper to extend the discretionary power of the paymaster in admitting claims which may appear to be Equitable, tho' not strictly conformable, to the wishes of Government. We have taken the liberty to suggest these hints, and to assure you, Sir, that unless such latitude is allowed, the greater part of those who have made advances to the Soldiers will lose their monies.

We are, &c.

ARRIVALS SINCE OCT. 31ST, 1795.

1795.
Nov. 7 Sloop Brothers from Philadelphia, out 8 days; all well. Sloop Brothers' Adventur from Bermuda, out 12 days; all well. Schooner Oliver from Boston, out 10 Days; all well. Ship Martin from Liverpool, out 54 days; all well. Sloop Melriver from Philadelphia, out 3 Days; all well. Ship Jane from Burdon, out 51 days; all well. Sloop Betsey from Martinick, out 25 days; the Capt. Dead and another of the men sick. Brought her to Quarantine in the bit of Craney Island.

JOHN BARRET.

Nov. 7th, 1795.

JOHN HAMILTON TO THE GOVERNOR.

Nov. 8,
Norfolk
British Con-
sul's Office I am sorry to have occasion again to trouble your Excellency in regard to the vessels arriving as privateers in the waters of the Chesapeake, but the present instance is too glaring to be passed over. A small schooner, purchased by a Frenchman, was cleared out at the Customhouse in this town as French property, and her register being delivered up to the Collector, she proceeded to Mobjack Bay, where she now lies. For several days passed a Pilot Boat has been attending upon her, by which means she has been supplied with four or six carriage guns.

It may also be necessary to mention that a party of Frenchmen were beating up here for volunteers to man the aforesaid vessel. I am, therefore, to request that your Excellency will be pleased to take proper steps to prevent her from sailing.

I have, &c.

MATHEW NEAL TO THE GOVERNOR.

Nov. 10, Fauquier Co. A late step of the purchasers of the Manor induces me for and on behalf of the tenants of that part of the Manor lying in Fauquier county to apply to your Excellency for information and advice in an affair of such apparent consequence. Advertisements, of which the inclosed is a copy, are posted up in every public place, and the Collector, William Clarkson, has recently proceeded to the collection and began to distrain. Your Excellency's opinion of, and advice in this momentous business, is most earnestly wished for and will be most thankfully received.

I am, &c.

OCTOBER COURT, 1795.

Fauquier County, to wit:

A Bond from Charles Marshall, attorney in fact for John Marshall, Charles Marshall, Martin Pickett, and Septimus Norris to the Governor, was acknowledged by the said Charles Marshall, attorney in fact for John Marshall, Charles Marshall, Martin Pickett, and Septimus Norris, to be their act and deed, and ordered to be recorded. The said bond is conditioned for the faithful collection of the rents in that part of the Manor of Leeds lying in Fauquier.

1795.
Nov. 10

A copy:

F. BROOKE, C. C.

The subscriber having, agreeable to the Act of Assembly, entered into Bond, with security for the faithful collection of the rents in that part of the Manor of Leeds lying in Fauquier county, gives this publick notice to all those in arrears, that the collector, Wm. Clarkson, has directions to proceed immedately to the collection. It is most earnestly hoped the tenants will make immediate provision, and save the collector the painful necessity of distraining.

Nov. 10

CHARLES MARSHALL.

October 30th, 1795.

WM. REYNOLDS TO THE GOVERNOR.

Enclosed you will receive a copy of a letter from the collector at Norfolk to me, informing of a privateer fitting out in my district. In consequence of which I have made inquiry and am told there is a schooner in Severn River, mounting 14 Guns, commanded and manned by French citizens. By a letter from the Secretary of the Treasury of 4th of August, 1793, written by direction of the President of the United States, I am ordered if any occur within my District, to acquaint your Excellency of the same.

Nov. 12,
Yorktown

I am, &c.

NORFOLK, Collector's Office, Nov. 7th, 1795.

Sir:

Information has been lodged with me that there is a privateer fitting out in Mobjack Bay. As the cutter is at present unfit for duty, and Mobjack Bay is within your District, I have thought it proper to lodge this intelligence with you.

I am, &c.

WM. LINDSAY, Coll.

H. YOUNG TO THE GOVERNOR.

1795.
Nov. 13

I acknowledge the receipt of your favor of the 11th, together with Mr. Hamilton's to you of the 8th instant. I shall immediately repair to the bay, and if it is in my power will prevent schooner from sailing. It may not be amiss to observe to your Excellency, that there is not a man either in Mathews or Gloucester, armed, and if they had arms, from the last return they are totally destitute of ammunition. I acknowledge myself under considerable embarrassment. To embody men without arms or ammunition to put into their hands, appears to me to be doing nothing. However, your Excellency may depend that every exertion in my power shall be used to carry the order of the Executive in effect.

I have, &c.

LEVI MORGAN TO THE GOVERNOR.

Nov. 14,
Morgantown

May it please your Excellency, thinking as I do that every attempt made against the Government, or the particular interest of any of my fellow-citizens should be attended to, and the person or persons who would dare to be guilty in either case ought to be punished agreeably to their demerit. Under these impressions I am constrained as an officer and a citizen (who hath been honored with your confidence,) to inform you Sir, that when I was on my way home from escorting the Indian prisoners, I met with two men who live in Mason County in the State of Kentucky, on the Ohio near a place called Limestone, who told me they were on their way to the Indian Country to steal horses from the Indians. I strove to dissuade them from it, telling them we and the Indians had now made peace, and a conduct like that they were about to engage in, might irritate the Indians, and likely provoke them to distress some helpless families on the frontiers, but they persisted and went on, and before I left that country which was two to three weeks after, (having taken sick and detained there) I saw one of the same two men, who then told me they had taken off three of the Indians, valuable horses, two of which they got into Kentucky and sold them: and they had pushed up the river until the alarm (if any should be made) was over. The men's names are Alexander Buchanan and I think Charles Schoolcraft, both inhabitants of Mason County. I don't suppose that Virginia can punish them, and bring a stranger to the Officers of the General Government, as also to those of Kentucky. I have taken the liberty to state this business to you not doubting but you'll make the proper use of it.

I have, &c.

GEO. CLENDENIN TO THE GOVERNOR.

These comes to acknowledge your Excellency's letter which mentioned that you had received my letter giving information that I had ordered out six scouts for the protection of Kanawha the present year, and that on the receipt of your letter I was ordered thereby to discharge those I had ordered, telling me at the same time you had wrote to Colo. Lewis to appoint others; that from his situation in the county (or words to that effect) he was more competent to s'd appointment.

1795.
Nov. 14,
Kanawha co.

This polite favor of yours I received on the fifth day of last month, two days after I had ordered such of them as were in my reach to be discharged.

Colo. Lewis, Sir, attended the Treaty with the Indians, I presume, as well to satisfy himself as to the validity of the Treaty as to recover such prisoners and other property as had been taken from the county that might be given up agreeable to the articles of the expected Treaty. This fav'r, as above mentioned, I fortunately received in presence of sundry respectable characters, which can justify me in not having most promptly obeyed them. However, had I received them in due time, and had Colo. Lewis been at home, I query if he had been so very officious; but let that be as it may, the curious may easily satisfy themselves, as he will shortly be in Richmond.

But as I always was of a condescending nature, and a wink is as good to a blind horse as a nod, I have herewith enclosed you the commission under which I have acted since I lived in this county in a military capacity, and trust you will most cordially receive it, wax and all, and so dispose thereof as may be most conducive of the happiness of the citizens and the public good.

For my part it is an office I never solicited, and have found it both unthankful and unprofitable, having never received a single Farthing from the public coffers, but on the contrary, have for the protection and support of my country expended many hundred pounds, which the public have shewed very little or no disposition to refund.

Therefore, having the unspeakable Happiness of seeing my Country once more in a peaceable situation, can with great cheerfulness withdraw myself from those public offices as only serve to give the most Extreme trouble and concern without the least shadow of recompence.

You will herewith find enclosed a certificate of the names and time of service of Four of the Scouts that served the present year. The time of service of the other two I cannot tell. However, perhaps Colo. Lewis can, as in all probability Captain Cooper informed him, as he had the ordering of them. But whether he knows or not, I will be shortly informed, and as soon as I have made some domestick arrangements will be in Richmond.

I am, &c.,

THOS. NEWTON TO THE GOVERNOR.

1795.
Nov. 17,
Richmond

The enclosed letters will show your Excellency the situation of the Sloop Betsey, now performing quarantine. In my opinion the Doctor's report is a convincing proof she ought yet to lie many days. I wrote Mr. Blanchard to continue her until your instructions could be sent down. This is the only instance that I have known of the yellow fever being brought in.

Your Excellency will please inform me the result of your opinion that I may forward it. Every care was taken before I left Norfolk that necessary supplies should be forwarded by the look-out boat.

I am, &c.

The French have crossed the Rhine and pursuing their enemies to the interior of Germany. By a vessel 48 days from London.

BRITISH CONSUL'S OFFICE, *Norfolk, 10th Nov., 1795.*

Sir:

Nov. 17

It has been represented to me that the British Sloop Betsey is performing quarantine at Craney Island without being examined by the officers appointed for that purpose. I am, therefore, to request that the necessary inquiries may be made as soon as possible relative to the health of the crew, in order that measures may be taken to assist them should they be found in a sickly situation. It may also be necessary for me to mention that the sloop is very leaky and otherwise in great distress.

I am, &c.,

JOHN HAMILTON.

Thomas Newton, Esq., &c., &c., &c.

NORFOLK, *10th Nov'r, 1795.*

Sir:

Nov. 17

The master of the Quarantine boat has reported that the Captain and one of the Crew of the sloop Betsey have died on board of the infectious yellow fever, and that one man on board is now ill of the same disorder. The said sloop was therefore ordered to remain near Craney Island until such time as the Doctor appointed to examine her, should conceive that no inconvenience would be experienced from her being permitted to come up.

I expect a report of his opinion to-day, as he is gone down to the Sloop. In the meantime the Quarantine Boat is ordered to supply the people on board with every necessary Refreshment, Provisions, or Medicines they may be in want of.

I am, &c.,

T. B.

John Hamilton, Esq., &c., &c., &c.

Nov. 10, 1795.

Sir:

I have examined the people on board the Sloop Betsey, from Martinique. They are all in good health except one man, who has been ill (I believe) with the yellow fever, but is now recovering and capable of walking about. There is not a doubt existing in my mind but that the Captain and Supercargo have both died of the yellow fever. This makes it necessary that the vessel should be purified previous to her being admitted to come up. I have given the commander instructions for that purpose. After this precaution, as the weather is cool, it appears to me there will not be the smallest risk in permitting the Sloop to come up in the course of three or four days.

1795.
Nov. 17

Wm. B. SELDEN.

The Superintendent of Quarantine.

JOHN W. SEMPLE TO THE GOVERNOR.

In the 7th section of the Act of Congress entitled an act for making further and more effectual provision for the protection of the frontiers of the United States, passed in the year 1791, a Brigade Major is allowed in addition to his pay in the line 24 dollars per month, and a Brigade Major under all the laws on the subject of regulating the militia in this country has the rank of Major, therefore it may be thought reasonable that he should have the pay of a Major in the line; but if the Executive should not think so, I bear the commission of captain in the line; the pay of a Major in above recited act is 50 dollars per month, and that of a captain 40 dollars; as to rations and forage, the 8th and 9th sections of the said law refers to other laws passed previous to that, which said laws I cannot obtain here; therefore I hope the Executive will have them examined, and see whether I am right in my account, which I have made out by recollection. The character I acted in will be considered either as aide-de-camp or Brigade Major. In either case, the additional pay is the same. I wish my claim should be laid before the Board, and whatever I am entitled to, that I should have an order for.

Nov. 26

I am, &c.

In the House of Senators, }
THURSDAY, November 26th, 1795. }

The House according to the order of the day, proceeded by joint ballot with the House of Delegates, to the choice of a Governor or Chief Magistrate of this Commonwealth, for one year from the first day of December next, according to the Constitution of Government; and the

Nov. 26

1795.
Nov. 26

members having prepared tickets with the name of the person to be appointed, and deposited the same in the ballot boxes. Mr. B. Temple, Mr. Eyre, Mr. Trigg, Mr. Richardson and Mr. Birchett were nominated a committee, to meet a committee from the House of Delegates in the Conference Chamber, and jointly with them to examine the ballot boxes, and report to the House on whom the majority of the votes should fall.

The Committee then withdrew and after some time returned into the House, and Mr. Temple reported that the committee had according to order met a committee from the House of Delegates in the Conference Chamber, and jointly with them examined the ballot boxes and found a majority of votes in favor of Robert Brooke, Esq'r.

Teste:

H. BROOKE, C. S.

Henrico County, sc:

I do certify that I have this day administered to His Ex'y, Robert Brooke, the oaths required by Law to be taken by the Chief Magistrate, and also the oath required by an Act of Congress.

Certified under my hand the 1st day of December, 1795.

J. PENDLETON.

WILLIAM HAY TO THE GOVERNOR.

Nov. 28,
Richmond

Agreeable to your request I have examined the account which Mr. Samuel Dobie hath exhibited against the Commonwealth, attested by his oath before Mr. Dunscomb, the 23rd of this month.

I know of no claim which Mr. Dobie hath against the directors, except for the balance of his last contract for superintending and directing the execution of the steps to the outside of the Capitol, and the stair case, the conference and the other work done on the inside of the Capitol in the years 1793 and 1794, which balance amounts to nine pounds ten shillings, and which I received for him when the final settlement was made with the Auditor of Public Accounts. On that day I called on Mr. Dobie that I was ready to pay the Balance due him and requested him to call at my office to receive the money and pass a Receipt for the same. Mr. Dobie never has called on me and I have neglected to carry the money to him. When Mr. Dobie pleases to call on me for the £9.10 and pass a receipt therefor, it will be in full of all demands which he hath against the Directors, during the time I transacted the Business for the Directors.

Samuel Dobie in acc't with the Directors—Dr. and Cr.

1793.

Ap'il 30.—To Cash p. Rec't, - - - - £ 7.0.0

SIR:

Inclosed is the amount of balances due me for my services to the Public as architect and surveyor of the Capitol, and from your known candor and love of Justice, induces me to beg the favor of you to present and gitt my account passed, that I may receive what is due to me from the public of so long standing.

And the favor will ever be gratefully acknowledged by your &c.

SAMUEL DOBIE.

Hon. Robert Goode, Esq'r.

Nov. 23rd, 1795.

I also begg the favour that I may have a receipt againt a bond of mine, paide to Mr. T's Buchanan by Mr. Smith Blakey, in part as he told me of his suscription for Building the Capitol.

The bond was drawn for a hogshead and a half of Tobacco, I think in the year 1780, and in the year 1782 I had paid to Mr. S. Blakey in articles he had of me, £10, and the balance was settled by Mr. James Buchanan, and charged to my account with the public as Mr. Wm. Blakey can testify.

1795.
Nov. 28,
Richmond

I know of no receipt on the bond, and it is, or was last in the hand of Mr. Sam'l Paine; he says he does not know how he came by it, and would give it up if he could find it, knowing it of no account, but it is a matter of consequence to me, as it may come against me with accumulated interest for the whole sum.

Robert Goode, Esq'r, Acting Director in the Building the outside steps of the Capitol, Dr., To Samuel Dobie, by his promise to me, made for my directing and extra attendance on the workmen as the attested certificate of the two witnesses he called on will shew; he agreed to pay me, s'd Dobie, forty dollars for the same if I could gitt any man to say I had a right to such extra pay, and on these terms being confident of my rights being supported, I immediately attended the works and afterwards got a certificate of my right signed by Mr. Edw'd Voss and William Giles, bricklayers.

1793—Due to S. Dobie, as above, - - - - - £12.00.0

The State of Virginia to Samuel Dobie, Dr.

By order of the Directors of the Public Buildings.

On a disputed order of James Buchanan, - - - - - £10.00.0

1790—For a plan of the Pediment Roof of the Capital, and directing the framing of Do., - - - - - 15.00.0

Allso agreed with Esq'r Hay for my directing the building of the vaults under the Portico, to which Mr. Hay cal'd Mr. Dabney Minor to witness I was to have £30, - - - - - 30.00.0

£55.00.0

1791—Jan'y 7th, of the above received in part, - - - - - 20.02.0

£34.18.0

Remains, - - - - - 6.14.0
Measurement being no part of duty in the above partial employment to direct the work, it is but jist and right it should be paid for. Feb. 8th, by order of Wm. Hay, Esq'r, I measured the brickwork of the vault under the portico. Amount of the Bricklayers' bill for the same was £671.10.0, on the which one p. ct. for measuring is - - - - -

And by order of Do. measured the Mason work in portico and General Court, the bill of which is £408.13.8, at 1 pr. ct. is, Feb. 19, by order of Do. measured all the plasterers' work done in the Capital from the beginning to this date, and made out the bill and delivered it to Mr. Hay May 3rd. The amount was £563.15.2, and 1 p'r ct. for measuring, is - - - - - 5.13.0

NOTE.—The above plastering was measured and the accounts made out several times before the above by order and for the satisfaction of the directors, and I never had any pay for it from them or the plasterer, as he was in debt. All the which

1795.
Nov. 28,
Richmond

| | |
|--|----------|
| measurements the directors have a right to pay me for, as the plasterer was excused by them. | |
| 1792—Oct. 24th, by order of Do., measured the plastering in the vault under the portico, and charge for Do., - - - - - | 0.12.0 |
| | £51.18.6 |
| 1793—Jan'y 8th, received in part, - - - - - | 16.16.0 |
| Remains, - - - - - | £35.02.6 |
| The State of Virginia to Samuel Dobie, | Dr. |
| By order of the Directors of the Public Buildings. | |
| For drawing plans to do the works by, and an estimate of the work to let it by, and directing the workmen in the years 1793 and 1794 in building the stone steps and stairs, and finishing the conference— | |
| For the estimate, - - - - - | £ 6.00.0 |
| Amount of all the workmen's bill, £2,110.9.8; my 3 p'r ct. on same, - - - - - | 63.06.0 |
| For extra attendance on arches of steps agreed for, - - - - - | 12.00.0 |
| For measurement of 84,380 bricks layed by Mr. Purcell, by order of Wm. Hay, Esq'r, - - - - - | 2.00.0 |
| And by order of Do. measured the plaster of Dome, - - - - - | 6.0 |
| | £83.12.0 |
| Received in part, - - - - - | 54.00.0 |
| Remains of the above, - - - - - | £29.12.0 |
| Brought up, - - - - - | 35.02.6 |
| Err's Except'd, balance, - - - - - | £64.14.6 |

City of Richmond, ss:

Samuel Dobie this day made oath before me that this account as stated is just and true.

Given under my hand this 23rd of November, 1795.

Aw. DUNSCOMB, Mayor.

Sir:

As it is to you I must look for the payment of your engagement with me, for my directing and shewing the bricklayers how to turn the arches of the Capitol steps, inclosed in this you have my acc't against you, and hope, as it is of so long standing, you'll see cause to pay or order to me payment without further application to you, as I want the money, and you know it is my just due.

Sir, in complying with the above you'll much oblige,

Your, &c.,

SAMUEL DOBIE.

Sept. 26, 1796.

1795.
Nov. 28,
Richmond

It appears that the Paymaster did not receive a copy of the pay abstract for Clendenin's company from the 25th of July to the end of the year '93, and of course cannot have drawn from the treasury the amount. I can't account for the omission. I send up a copy of that abstract, and the receipts taken from the Paymaster and Capt. Lewis for the vouchers delivered to them. These papers will be returned when the Executive have done with them.

J. PENDLETON.

Nov. 30, 1795.

SAM'L COLEMAN TO THE GOVERNOR.

Dec. 4,
Richmond

It is respectfully submitted to the Executive whether any and what compensation shall be made to me for making out a list of the officers, non-commissioned, and privates of the continental line, to whom a bounty in land has been granted, which list has been forwarded by Colonel Anderson to Philadelphia for the information of the Secretary of War.

This was a laborious piece of business, and, I humbly conceive, an extra duty, for which I shall be thankful for proper compensation.

I have, &c.

J. PRYOR TO THE GOVERNOR.

Dec. 5,
Richmond

Agreeably to an order of Council authorizing the Treasurer to put into my hands for collection several drafts drawn by the Treasurer of the United States in favor of the State of Virginia, viz': One for Eleven thousand Dollars on John Fitzgerald, collector at Alexandria; another for fifteen hundred Dollars on James M. C. Lingan, collector at George Town; and a third for four thousand four hundred and twenty-two Dollars and eighty-four cents on David Harris, cashier of the Bank of discount, &c., at Baltimore; and being furnished with those drafts with no other instructions than to procure as much specie in payment as possible, I proceeded with as much expedition as my ill state of health would then permit, calling on and apprizing Colo. Fitzgerald of the Draft on him as I passed through Alexandria, requesting his readiness to make payment in specie on my return. I also by letter acquainted Mr. Lingan of the Draft on him as I passed through George Town, adding a like request that payment in specie might be ready on my return. My arriving at Baltimore on Saturday evening too late to do business with the Bank, compelled me to wait till the returning stage of Wednesday following. In the mean time I presented the Draft on Mr. Harris, requesting specie in payment, but could not obtain it, and was obliged to receive Bank notes. On returning to George Town, Mr. Lingan gave me

a check on the Bank of Columbia to the amount of the Draft on him. That Bank refusing to pay Specie, I concluded to take Alexandria Bank notes, which I converted into Specie on presenting them at that Bank. Considering the magnitude of the Draft on Colonel Fitzgerald if paid in silver, Gold not being to be had, would have been out of my power to have brought down, and unwilling to receive Bank notes, prevailed with me to take drafts on merchants of this city at a few days' sight, thinking thereby to procure more specie in payment than I could have brought from Alexandria. A list of the Drafts are enclosed, together with the receipts of my deposits at the Treasury of the several payments, which will shew as much punctuality as was consistant with the difficulty of procuring specie, which I insisted on in every instance where it was to be had. Hoping that my transaction of this business may be satisfactory to the Executive,

1795.
Dec. 5,
Richmond

I have, &c.

Drafts delivered to Major Pryor from the Treasury by order of the Hon'ble The Executive for collection—viz.:

| | | | | | |
|----------------------------------|---|---|---|---|----------------------|
| One on John Fitzgerald, Esq'r, - | - | - | - | - | \$11,000 00 |
| David Harris, Esq'r, - | - | - | - | - | 4,422 84 |
| J. M. C. Lingan, - | - | - | - | - | 1,500 00 |
| | | | | | <hr/> \$16,922 84 |

Received from Major Pryor:

| | | | | |
|-------------------------|---|---|---|--------------------|
| 1795. | | | | |
| Nov. 5.—The sum of, - | - | - | - | \$5,922 84 |
| 16.—The sum of, - | - | - | - | 1,108 00 |
| 18.—The sum of, - | - | - | - | 2,390 00 |
| 19.—The sum of, - | - | - | - | 1,500 00 |
| 28,30,31.—The sum of, - | - | - | - | 6,002 00 |
| | | | | <hr/> 16,922 84 |

Treasury. E. E.

J. AMBLER.

31 Nov'r, 1795.

II. YOUNG TO THE GOVERNOR.

In obedience to your orders of the 11th of last month, I proceeded to Mathews county, where I could find no vessel of the description you mentioned. From Mathews I proceeded to Severn, in Gloucester, where I found a schooner answering the description given you by Mr. Hamilton. To use any means in my power to detain a vessel completely equiped for war would, I conjecture, be deemed an act of timidity rather than of prudence. I therefore, in compliance with my best judgment, and by the advice of several of the best-informed officers of Gloucester,

Dec. 6

1795.
Dec. 6 concluded to adopt the circular instructions dated 22nd August, 1793; accordingly instructed Major Cary the day after my arrival to order the vessel to depart the waters of this State immediately, but before he could get down to where she lay she had taken her departure, and was out of sight. In case your Excellency should see fit to make further inquiry respecting the aforesaid vessel, I have thought it advisable to inform you that on my arrival at Severn I procured a small row boat and went down the river opposite where the schooner lay. She was in the middle of the river where I thought it a mile wide. I supposed her to be between 60 and 70 tons burden; about three weeks before her departure, the number of men on board was about 80. Thirty more were expected; since which she has been frequently attended by boats. Mr. Stubs, a citizen of Gloucester and a reputable man, was on board the privateer when a schooner arrived from Baltimore with ammunition and other war-like stores, which were taken on board. Barry, a Pilot from Baltimore, brought from thence a supply of men.

The Schooner is avowedly a Privateer and displays French National colours. She is peared for 12 guns, but has but 10 mounted, which are sixes. The Captain of the Schooner resides at Portsmouth, where he has a family. I could not learn whether he is a Frenchman or not. Mr. Stubs thought him one.

Your Excellency will please excuse me for acknowledgment. My embarrassment at receiving orders which in the nature of things can't be executed; for since the days of the freebooters ships of war have not been attacked by men in canoes nor then unmanned. I love the Government under which I live because it makes me happy, and I feel infinite mortification in not having it amply in my power to impose its laws.

There is in Gloucester a most excellent company of Artillery. The officers are anxious to have two pieces of cannon, and if furnished, perhaps might answer a two-fold purpose: first, to enable the company to learn the exercise which can't be done without them; and secondly, to deter small vessels from infracting the laws. I conceive it to be hardly necessary to observe to your Excellency the propriety of arming two companies of Militia, one in Gloucester, the other in Mathews. Their exposed situation being so well understood by your Excellency, it would be folly in me to make any observations to induce the measure.

I am, &c.

GLO. TOWN, November 27th, 1795.

Dec. 6 Agreeable to your orders delivered to me on Sunday, the 22d inst., early the next morning I repaired to Severn River. On my arrival there

I found that the Schooner alluded to had sailed the day before about 11 o'clock A. M., and was entirely out of sight.

1795.
Dec. 6

It then only remains for me to give you information thereof, which should have been done immediately had not the post have left this before my return, and no other safe conveyance in the interim having offered.

With respect I remain, &c.

J. PRESTON AND OTHERS TO THE GOVERNOR.

We take the liberty of representing to you, not only the situation of a number of prisoners in the jail of the District of Washington, &c., but also that of William Harston, the Jailer. The prisoners were committed to the Jail early last summer, in order to be tried for capital offences at the ensuing October term. They have from that time been supported at the expense of Mr. Harston, and the circumstance of the non-attendance of the Judges last term, put it out of his power to present or pass his accounts.

Dec. 10

As he is now under the necessity of supporting these prisoners till the May term next ensuing, we beg leave to submit to your consideration, whether he ought not to have some advances made him on account. He is a poor man and barely able to support himself and family.

These unhappy culprits have been denied that speedy trial which the laws of their country entitle them to. Their suffering the ensuing winter, cannot but excite the pity and compassion of every feeling person, and humanity calls aloud for their relief. We beg further to suggest to your Honorable body, whether some plan ought not to be devised to alleviate their situation, and whether it ought not to be laid before the Assembly for their interposition.

We are Gentlemen,
Your most obed't Servants,

J. PRESTON,
WILLIAM TATE,
DANIEL PERKINS,
ROBERT PRESTON, Sh'ff W. C.

| | | | | | | |
|--|---|---|---|---|---|----------|
| 40 yds. Oznaburgs to make 10 shirts, | - | - | - | - | - | £ 4.00.0 |
| 5 Blankets to make 5 coats, | - | - | - | - | - | 3.15.0 |
| 5 pr. wollen stockings, | - | - | - | - | - | 15.0 |
| 15 Blankets for covering, | - | - | - | - | - | 9.05.0 |
| A pair of coarse wollen overalls for each, | - | - | - | - | - | 6.00.0 |
| | | | | | | £23.15.0 |

David Perkins.

MOSES AUSTIN TO JAMES WOOD, LIEUTENANT-GOVERNOR.

1795.
Dec. 12,
Richmond

Mr. Sheppard this day informed me he had a writ against me for Lead due the Publick.

I have a desire that I may have an opportunity to state to the Executive the cause the Lead has not been delivered agreeable to the demand of Governor Brooke.

I am, &c.

SAM. COLEMAN TO THE LIEUTENANT-GOVERNOR.

Dec. 14,
Richmond

Having been appointed by the Adjutant-General to execute the duties of his office, I beg leave to request that the Honorable the Executive will be pleased to permit my acceptance of that appointment, and, in that case, that they will be pleased to say whether either and which of the apartments of the Capitol can be assigned as an office for that department.

I have, &c.

IN THE HOUSE OF DELEGATES.

Dec. 15 Resolved, That the Senators representing this State in the Congress of the United States be and they are hereby instructed, and the Representatives requested to unite their utmost exertions to obtain in their respective Houses the following amendments to the Constitution, viz:

1st. That no Treaty containing any stipulation upon the subject of the powers vested in the Congress by the eighth section of the first article shall become the supreme law of the land until it shall have been approved in those particulars by a majority of the House of Representatives, and that the President before he shall ratify any such Treaty shall submit the same to the House of Representatives.

2nd. That a Tribunal other than the Senate be instituted for the Trial of Impeachments.

3rd. That the Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for three years, and each Senator have one vote. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the first year, the second class at the expiration of the second year, and of the third class at the expiration of the third year, so that one-third may be chosen at the expiration of every year.

4th. That no person holding the office of a Judge under the United States shall be capable of holding at the same time any other office or appointment whatever.

1795.
Dec. 15

A copy—Teste:

JOHN STEWART, C. H. D.

Agreed to by the Senate Dec. 15th, 1795.

Signed:

H. BROOKE, C. S.

A copy from the original Resolution.

Attest:

JOHN STEWART, C. H. D.

ROBERT GREEN AND OTHERS TO THE GOVERNOR.

We the subscribers, members from the District of Monongalia, represent that Scouts and Rangers have been called into service for the defense of the different counties in the district, and most of the vouchers have been forwarded by us for payment. But we have understood that their pay cannot be received until the Executive of the United States is consulted.

Dec. 15

We humbly submit whether by referring to the Militia Law, and the resolution of the Assembly at the last session, you will not be justifiable in embracing this favorable opportunity in making payment without putting the State to the additional expense of a Paymaster, especially as the sum will be small, and whether from the willingness heretofore manifested by the General Government there can exist a doubt but the money will be refunded.

From these considerations we are induced to hope that such of the vouchers as are formal and authentic will be directed to be paid, either to the several persons charged therewith, or such one of us as you shall see cause.

We have, &c.

JOHN WISE TO THE GOVERNOR.

In obedience to an order of the House of Delegates I have the honor to enclose sundry resolutions of the General Assembly passed at the present session, for proposing certain amendments to the Constitution of the United States, in order that the same may be forwarded by the Executive to the several States in the Union for the consideration of their respective Legislatures, and to the Senators representing this State in the Congress of the United States.

Dec. 19

I have, &c.

ELISHA C. DICK TO THE GOVERNOR.

1795.
Dec. 19,
Richmond

Inclosed is an account of money expended by the corporation of Alexandria for preventing the introduction of the yellow fever last fall, accompanied by a letter from the Mayor. I take the liberty of laying them before the Executive for their consideration, and will only remark that the several expenses were incurred in consequence of apprehensions on account the disease of Norfolk. I shall leave this place on Wednesday morning next, and shall be happy to have the decision of the Executive by Tuesday evening.

I have, &c.

ALEXANDRIA, 15th December, 1795.

SIR:

Dec. 19

I was some time ago directed by the corporation to deliver to you the enclosed accounts for moneys expended by them last fall in guarding against the introduction of the yellow fever into this town, but entirely forgot it till this day. The benefit arising from this necessary precaution is well known to have been general to all the neighboring country. The corporation therefore conceive they ought to be reimbursed by the Executive, and have desired me to request the favor of you to make application to them for that purpose. These and some few other accounts relating to this business, amount to about £10, but as they have not yet come in, they could not with propriety be added to the general account.

I am, &c.,

JOHN DUNDAS.

Elisha C. Dick, Esq'r.

The Corporation of Alexandria,

To James Porter,

Dr.

1795—Sept. 14th.—For 4 pieces of Raven Duck, - - - - 69s.13d.

I do certify that the above-mentioned Duck was had on account of the corporation for making a Marque for the accommodation of the guards at the Point.

ELISHA C. DICK,
Health Officer.

By the House of Delegates December 21st, 1795:

Dec. 19

Resolved, That William Pinkney, William Cooke, and Philip Barton Key be, and they are hereby, appointed Commissioners on the part of this State to meet such Commissioners as may be appointed for the same purpose by the Commonwealth of Virginia to settle and adjust by

mutual compact between the two Governments, the Western and Southern Limits of this State, and the dividing lines and boundaries between this State and the said Commonwealth, and also to settle and adjust as aforesaid any claim of this State or the said Commonwealth to Territory within the Limits of the other, and the said Commissioners are required to report their proceedings in virtue of this appointment and authority to the General Assembly of this State at their next session after the same shall have been concluded, for confirmation or rejection.

1795.
Dec. 19

Resolved, That the Governor of this State be requested to transmit without delay to the Governor of Virginia a copy of the foregoing resolve, in order to its being laid before the Legislature of that Commonwealth, and at the same time to communicate the wish of this General Assembly that a similar resolve may be passed by the General Assembly of Virginia.

By order:

Wm. HARWOOD, Clk.

By the Senate Dec. 21st, 1795:

Read the first and second time by especial order and assented to.

By order:

H. WARFIELD, Clk.

The above is a true copy of the resolution passed Novem'r Session, 1795.

Teste:

Wm. HARWOOD,
Clk Ho. Del., Maryland.

H. WARFIELD,
Clk Senate, Maryland.

J. AMBLER TO THE GOVERNOR.

The President and Directors of the James River Canal Company, having made their last call on the subscribers, it becomes necessary to authorize Mr. Auditor to issue a warrant for One Thousand Pounds, being the amount of the Commonwealth's shares.

Dec. 23,
Treasury

I am, &c.

ALEXANDER SMYTH TO THE GOVERNOR.

I am informed that the two men who murdered Tubeau, the Frenchman, on the frontier of Russell, are in the Illinois Country, and I believe that if the Executive will offer a good reward they will be taken.

Dec. 25

As the character of this part of the country is much interested in the

1795.
Dec. 25 punishment of those villians, it is to be hoped that an exertion will be made to compass it.

The bearer of this, Capt. James McFarland, is a man every way qualified for such an undertaking. If he does not engage, I understand Mr. Henry Dickenson of Russell will take the business upon him.

I am, &c.

ROB. QUARLES TO THE GOVERNOR.

Dec. 31,
Point of Fork Inclosed you will observe the customary Quarterly Return of the Military Stores under my direction.

I lament that from the slow manner in which the arms &c., lent to the United States, are returned to this place, I am not yet enabled to lay before the Executive a statement of the losses and injuries sustained in this loan, so as to enable them to demand reparation. I have received only 2897 Muskets and Bayonets, 2425 Cartridge Boxes, 2723 Belts and 1467 Slings. The Muskets and Bayonets having generally past thro. the hands of Smiths since they were in service are not very materially injured, but the whole of the leather work, (viz.) the Boxes, Belts and Slings have been wretchedly handled, in so much that many of them are entirely useless.

The Com. Mil. Stores for that department tells me there are some few stores yet to return which he promises to have in place shortly.

I have to note to the Hon'ble Board, that I still allow Mic'l Jourdan his wife and daughter to draw Rations, notwithstanding the pension allowed him by the Gen'l Assembly, and with their advice respecting the continuance of this indulgence.

I wish the Hon. Executive to take into their consideration, the allowance made to the soldiers at this place in lieu of clothing. The yearly allowance for this purpose to each man is £5.10.4, applied to the purchase of such articles as are expressed in the annexed statement. I am solicited by them to state the insufficiency of this allowance to the Hon'ble Board, with a hope that they will either direct a larger sum to be applied to this purpose, or order that the Superintendent shall purchase such clothing as is common for the use of soldiers on the best terms he can, and debit the State with the amount thereof. I trust the Hon'ble Board will have no objections to my having the shops and other houses at this place repaired and made comfortable.

I have, &c.

N. B.—As the Sup't wishes to procure the clothing for the soldiers whilst he is in Richmond, it will be a considerable convenience to him to be decided on this subject by the Hon'ble Executive.

| List of Yearly Cloathing allowed the Soldiers, and the Prices at which they are expected to get them. | Price. | 1795. Dec. 31 |
|--|---------|------------------|
| 1 Coat, - | £1.00.0 | |
| 1 Waistcoat, - | 5.0 | |
| 1 p'r Woolen Overalls, - | 6.4 | |
| 2 p'r Linen " | 10.0 | |
| 1 Blanket, - | 7.0 | |
| 4 p'r Shoes at 7s., - | 1.08.0 | |
| 4 Shirts at 6s. 3d., - | 1.05.0 | |
| 2 p'r Stockings, - | 6.0 | |
| 1 Hat, - | 3.0 | |
| | £5.10.4 | |

A Quarter Yearly Return of the Arms and other Military Stores at the State Arsenal, under the direction of R. Quarles, terminating the 31st of December, 1795.

1 16-inch mortar, 1 6-pounder, 1 4-pounder, 1 iron piece of ordnance, 5,203 Muskets in complete order, including French; 2,575 Muskets in order, but with rough bayonets; 466 muskets out of order and now repairing, old; 690 new-stocked muskets complete, except Bayonets and Rods; 2,939 Musket Worms, 400 Pickers and Brushes, 131 Screw Drivers, 805 Artillery Swords, 293 Grenadier Swords, 7½ barrels Gun Powder, 40 Pigs Lead, 181 Case Shot from 6 to 4-pounders, 263 Round ditto., 30 teams of Cartridge Paper, 436 Cannon Tubes, 18 barrels Flints, 1,650 pounds of loose Ball and Buck Shot.

Work done this quarter: 74 Muskets stocked; 117 Locks made, 211 Bayonets forged, filed and fitted, and their Muskets put in complete order; 60 Bayonets and Ramrods ground and polished; 14 Muskets, with ground Bayonets, cleaned and repaired, and added to those in order.

N. B.—There are 2,897 of the French Muskets returned from the expedition against the Insurgents included in the lot of 5,203. The Howitzer formerly reported in my returns, being Continental property, has been claimed and delivered to the Com. Mil. Stores for the U. States.

Ro. QUARLES, Sup't S. A.

Dec. 31st, 1795.

THOMAS MIFFLIN TO THE GOVERNOR.

I have the honor to acknowledge the receipt of your Excellency's letter of the 24th ult., and to inform you that the resolution of the Legislature of Virginia proposing certain amendments to the Constitution of the United States have been submitted to the consideration of the General Assembly of Pennsylvania, agreeably to your request.

1796.
Jan. 6,
Philadelphia

I am, &c.

| | |
|--|---------------------------------|
| Dr.—Balance of the Books belonging to the President, Directors, and Company of the Bank of Alexandria, January 7th, 1796. Bills and Notes Disc'd, \$322,847 38 | Stock, - - - - \$150,000 00 |
| Cash, - - - - 131,735 44 | Bank Notes issued, - 199,907 50 |
| Bank House, - - - 4,500 00 | Post Notes issued, - 48,147 02 |
| Incidental Charges, - 1,511 96 | Deposits, - - - 52,356 79 |
| | Dividends No. 2, - 36 00 |
| | Ditto 4, - 135 00 |
| | Ditto 5, - 9,163 00 |
| | Profit and Loss, - 471 32 |
| | Discount, - - - 378 15 |
| | <hr/> |
| | \$460,594 78 |
| | <hr/> |
| | \$460,594 78 |

ROBERT JOHNSON TO JOSEPH MARTIN, ARCH'D STEWARD, AND CREED
TAYLOR, COMMISSIONERS FOR VIRGINIA.

Jan. 8,
Kentucky The Legislature of this State approves the proceedings of their Commissioners in claiming to the head of the N. E. Fork of Sandy as the Boundary line between the two States, and have directed the Commissioners from the State of Kentucky not to proceed any further in the business, unless the Legislature of Virginia (by their acts) show a disposition to settle the business in an amicable way, for the citizens of each State to suffer as little injury as the nature of the case will admit, doing justice to this State. Therefore you see the necessity of Failing to meet in May next, agreeable to our adjournment, unless we hear from you and the Legislature of your State so as to come up to the ideas above stated. The session was so far advanced before we could be prepared to send by post so soon as we expected, you will excuse our not writing sooner.

We are, &c.

PETITION OF GEORGE KEITH TAYLOR.

Jan. 8 To the Governor and the Honorable Members of the Council:

The petition of George Keith Taylor humbly sheweth, that your petitioner, being desirous of purchasing land warrants, lately deposited in the Treasury depart. of the United States and certificates of the State of Virginia to the amount of the purchase pledge for the payment of the purchase money in a few days thereafter, and in consideration of the deposit, obtained his warrants. But from the scarcity of gold and silver which at present prevails, and the small quantity of unfunded State

paper which remains in circulation, your petitioner finds himself unable to make full payment unless he be permitted to discharge a part of the sum in bills of the Bank of the United States. Your petitioner therefore prays that your honorable Board will be pleased to authorize the Treasurer to receive from him in part payment for the said warrants the sum of five thousand dollars in bank bills, a favor which, having been heretofore granted to others, your petitioner trusts will be extended to him.

1796.
Jan. 8

And your petitioner, as in duty bound, will pray, &c.

FRENCH MINISTER TO SECRETARY OF STATE OF UNITED STATES.

(Translation.)

Philadelphia, 22 nivose, 4 year of the French Republic, one and indivisible. (12th January, 1796, O. S.)

Jan. 12,
Philadel-
phia

The minister Plenipotentiary of the French Republic, near the United States, to Mr. Pickering, Secretary of State of the U. S.:

SIR:

Letters from the French Consuls at Baltimore, Norfolk, and Alexandria announce to me that the English have purchased a great quantity of Flour in Maryland and Virginia, and that they have laden it on board of American vessels, which they have likewise purchased. This Flour is destined to support the English Army directed against the French Colonies. It is not without the most severe chagrin that I have observed the enemies of my country drawing from yours means of subsistence, without which they must have renounced every species of attempt, and that I have found myself incapable of preventing them. Indeed, who could arrest the exportation of this flour if not the Government of the United States? And if I had solicited it of them, could I have calculated upon their condescending to my request, when they would have regarded that condescension rather as a favor than as a duty rising out of their neutrality? But, sir, there is another circumstance upon which the letters from the consuls leave me no doubt, and to which the laws which the American Government have prescribed to itself for its neutrality oblige it to pay attention. The vessels which the English have purchased, are commanded and manned by American Seamen. If your fellow-citizens are prohibited from serving the cause of France, neither shall they be permitted to range themselves under the British Flag—otherwise the neutrality would be only a vain term, and a certain means of assisting, secretly and without running any risk, a power which it would not be dared to aid openly.

There is also another object, Sir, upon which I should fix your attention. The Consul at Norfolk informs me that the English have caused to

1796.
Jan. 12,
Philadelphia

be purchased a great number of horses in Virginia, and that even stables are established near Norfolk for receiving them. These horses are destined for the English Cavalry to be debarked at St. Domingo to attempt the conquest and to endeavour to bring about the ruin of that place. If France be interested in frustrating these projects, should not the United States also, perhaps under certain relations, prevent the execution of them?

Besides, their neutrality impose on them the obligation of arresting the exportation of horses, which constitute the principal force of the English army. The horses are contraband of war; you are sensible of this, Sir, and no contraband of war can be furnished to a power at war without the other power having the right of opposing it in any manner whatever. (So says Vattel, Vol. II., Book III., Chap. VII., S. 113, Amsterdam Edition, 1775.)

"The nation which makes war has the greatest interest in depriving its enemy of every foreign assistance, and therefore has a right to regard, if not absolutely as enemies, at least as people who care very little about injuring them—those who carry to their enemy the things which they require for war. They furnish them by confiscating their merchandize. If the sovereign of the latter should undertake to protect them, it would seem as tho' he himself wished to furnish this kind of succour; a step contrary to neutrality."

It is therefore evident, Sir, from this passage, that no neutral Government can protect contraband of war. But would not the American Government protect it if it should permit to be exported from its territory horses destined for the English army? Indeed, Sir, after being informed of the designs of the English, it could stop the exportation of the horses which they have purchased, and did not do it, it is evident that the omission would constitute a proof of its consent and approbation. And what difference is there in this case between tolerating contraband and protecting it?

It is useless Sir, to spin out this letter any further, I think that the facts are so self-evident, that I now flatter myself with receiving a proof of that friendship, of which the United States have so often given assurance to the Republic.

Accept, Sir, the assurances of my esteem,

P. A. ADET.

Faithfully translated from the original by Geo. Taylor, Jr.

W. PRICE TO THE GOVERNOR.

Jan. 13, In the latter part of the last session of the Gen'l Assembly, I am
Land Office informed a law was passed, directing the Executive to ascertain and say

what number of clerks it will require to perform the several duties of this office, together with their salaries, which law I presume has by this time been laid before you.

1796.
Jan. 13,
Land Office

Urged by the great necessity of the above assistance, I hope to be pardoned when I express a wish that the business may as soon as convenient be taken up.

In order to shew the great necessity of an augmentation of clerks, owing to a vast increase of Business, I need only observe, that the fees of office have amounted to more within the last twelve months, than they have for four years before.

As some information may be necessary to enable the board to judge of the number requisite to keep up the business of the office, I beg leave to observe, that it will require two issuers of Grants (including the chief clerk), two recorders of Grants, two recorders of Surveys, and one to make the application in the margin opposite the warrants, of the Grants issued by virtue thereof to search and copy.

It may perhaps be asked what the Register is employed in, I will answer, that his time is closely taken up in giving receipts for surveys, entering them, keeping the accounts of the different fees of office, receiving and recording caveats, issuing and recording warrants, and the certificates on which such warrants issue, giving official certificates, and answering letters respecting business in said office.

I have, &c.

W. LINDSAY TO THE GOVERNOR.

The French Consul, resident here, sent me yesterday evening a representation in writing respecting the British purchasing horses to be sent to the West Indies. I have enclosed you his letter, and request your immediate attention thereto, as I expect they will be embarked in a few days.

Jan. 20,
Norfolk,
Collector's
office

I am, &c.

THOS. NEWTON TO THE GOVERNOR.

In the absence of Gen'l Mathews, I consider it my duty in this place to inform your Excellency of proceedings which I conceive are violations of our treaty with France and Holland, and of a law of the U. S. passed in June, 1794, for punishment of crimes vs. U. S.

Jan. 20,
Norfolk

I have no doubt, from every appearance, that the horses now purchasing by British officers are for mounting their troops in the W. Indies employed against the French Islands. It is reported the vessels which carry them are to be convoyed by British ships of war.

1796.
Jan. 20,
Norfolk

Three are now in Hampton Roads, which carries a conjecture with me that the report is true, and I understood one of the owners of the vessels which carries the horses, that she was insured by agreement. This also conveys an idea to me that they are for Government service. I have heard that the French Consul has protested against the clearing of the vessels out, considering it a breach of our neutrality; he has never mentioned anything to me on the subject.

I am, &c.

IN THE HOUSE OF DELEGATES, }
SATURDAY, the 12th December, 1795. }

Jan. 20 Resolved, That the Executive be requested to examine the certificates in the Sinking Fund and cause the same to be destroyed.

Copy—Teste:

JOHN STEWART, C. H. D.

Agreed to by the Senate,

Signed:

H. BROOKE, C. S.

A copy.

JOHN STEWART, C. H. D.

We, the Committee appointed to examine the certificates in the Sinking Fund and to cause the same to be destroyed, pursuant to a resolution of the General Assembly, have accordingly examined and burnt Loan Office, funded, and Military certificates, which appear by the Register to belong to said Fund, amounting to the sum of two hundred and twenty-seven thousand four hundred and thirty-seven pounds, fourteen shillings and 7½d.

Given under our hands this 25th January, 1796.

JAMES WOOD,
JOHN STEELE,
EDMUND HARRISON.

THOS. NEWTON TO THE GOVERNOR.

Jan. 23,
Norfolk

Since writing to you of Thursday last, I received the inclosed from Mr. Oster, French Consul, and immediately forwarded a copy of the same to the British Consul, with a letter I now inclose. We are much at a loss in what manner to proceed, and hope to have full instructions from your Excellency. Undoubtedly the shipment is for military service, from the French Consul's statement. There are some of the agents with you in Richmond, who, I judge, might be prosecuted under the act of Congress for punishment of crime vs. U. S.

I am, &c.

The horses are on board citizens' vessels, and unless we have an immediate answer or some process by express to stop them they will be gone. From every report they are to be convoyed by ships of war, Admiral Murray being in Hampton Road. I have wrote to Honorable Judge Griffin on the occasion and hope he will favor me with his opinion.

1796.
Jan. 23,
Norfolk

NORFOLK, January 23, 1796.

The Vice Consul of the French Republic to Mr. Newton, Colo. Commandant at Norfolk:

Sir—The numerous agents of the King of Great Britain in this town, and those dispersed thro' this State, being about to make a shipment of horses, which are known to be destined towards the conquest of the French possessions in the West Indies, it has become my duty as Vice Consul of the French Republic in Virginia to state to you that these sort of expeditions or shipments are prohibited by article 24 of the treaty between France and the United States of America, and in consequence to pray for an interposition of your authority, to the end that shipments of horses and furniture now making, may be all of them hindered from leaving any places or ports under your command as Colonel aforesaid. Your patriotism, your attachment to the cause of liberty, and the principles of justice that characterize you being well known to me, I am persuaded that this statement and request will seriously fix your attention, and that until you receive orders that are momentarily expected from the Governor of Virginia, to whom I have written officially on the subject, you will direct the commanding officers of the fort, and all others immediately under your command, to prevent the departure of this expedition of embarkation of horses and furniture by the aforesaid agents.

Accept my respects.

OSTER.

Copy—a true translation.

THO. NEWTON TO JNO. HAMILTON, ESQ'R.

Inclosed is a copy of an information I received from the French Consul, which I beg your attention to.

Jan. 23,
Norfolk

Any military expedition or enterprize from this country against powers with whom we are at peace, I conceive by the Laws of the United States, and treaties existing, (which are considered supreme laws of the land) to be a violation of that neutrality which should be observed to the Beligerant powers. That the present shipment of horses (as I am informed) under British Officers, is a military preparation I have no doubt of in my mind, and having wrote to the Executive on this State on the subject, I hope you will desist from carrying on shipments of so hostile an appearance until an answer is obtained from the Governor.

I am, &c.

W. WILSON TO GOVERNOR BROOKE.

1796.
Jan. 23,
Norfolk

I beg leave to enclose for the information of your Excellency, the peculation and complaint made to me as Lieutenant-Colonel of this County, by the Vice-Consul of the French Republic, against the incarceration of a number of Horse now actually about to take place in this port, said to be destined to act as Cavalry against the Islands in the West Indies, belonging to the French Republic.

The feelings of the Consul appear to be much wounded at this procedure, and in the name of the alliance between the two Republics, demands Inhibition of the Armament.

As these vessels are about sailing, I await my orders respecting them, which I beg to be furnished with as soon as the nature of the case will admit.

With much respect, &c.

THOS. NEWTON TO THE GOVERNOR.

Jan. 24,
Norfolk

The inclosed is a copy of a letter received from the B. Consul. I beg your answer by express.

There cannot, I still think, — of the shipment being of a military nature; the Consul does not seem to deny it altogether.

I am, &c.

SIR:

Jan. 24,
Norfolk
British Consul's Office

I have rece'd your letter of this date, inclosing a copy of the representation of the F. vice-consul to you on the subject of the shipment of horses I have directed to be made, and expressing your hopes that I will desist from carrying on shipments of so hostile an appearance until an answer is obtained from the Governor of Virginia, to whom you have written.

I must ask leave to be allowed, Sir, to manifest my surprise at the very late Period in which your Interference in a Business that you could not possibly be ignorant of from its very commencement, is bro't forward. You must have known, even from common Report, that I was some time since engaging vessels to convey Horses from hence to the W. Indies; much more, then, as some of the vessels were procured from your own most intimate connections, and from circumstances, I am inclined to believe, that the Governor himself could not have been unacquainted with the Purchases of horses to be transported from hence to the W. Indies. It is therefore to me a matter of no little wonder, supposing that you had no doubts in your mind, that the shipment alluded to, if carried into effect, would be a violation of that Neutrality which

should be observed to the Belligerent Powers; that you should have hitherto been totally inactive and silent on the subject, and that you should only now come forward when the engagements are made; any little detention you may cause will be productive of heavy Expence and Damage.

1796.
Jan. 24,
Norfolk,
British Con-
sul's Office

I have continued to flatter myself that the attention I have always, since my Residence in Norfolk in my present office, endeavoured to pay both to the local Laws of the Place and the existing treaties have been invariably apparent, at least it has been my study to comport myself, as far as in the Line of my duty I could, conformably to them.

Acting under this impression, I have maturely considered the articles of the Treaty of amity and commerce between the U. States and France, none of which, in my opinion, can be construed so as to authorize any Interference whatever on the part even of the General Government with regard to the Shipment in Question. I deny totally that the present shipment of Horses, as you have been informed under British officers, is a military Preparation, or can be so esteemed, according to the usages of Nations.

The Horses about to be dispatched by my Directions will depart unaccompanied by Furniture and unprovided with any sort of hostile equipments. They will be shipped from hence to a Port subject to Great Britain, a power with whom the U. States are at Peace, and therefore, though I conceive with you that according to the Laws of the U. States no Person within their Jurisdiction can set on foot from hence any military Expedition to be carried on from hence against any foreign Prince or State with whom they are at peace, yet I cannot imagine that those laws are calculated to prevent any Person, either in a public or private capacity, from purchasing within their Jurisdiction and sending in American vessels Horses in their natural state, unattended by hostile equipments to any British Port whatever.

Influenced by this opinion, therefore, the Shipment of the Horses at present about to embark, will be directed to proceed, and should you oppose any impediments to the Progress of the vessels employed to convey them to the place of their Destination, I shall not only consider such obstacles as a violation of the Neutrality of the United States as far as you are concerned, but for any expenses that may accrue, either from such detention or for the extra provender that may be necessary for the Horses, I shall at the same time look upon you as personally responsible.

I remain, Sir, &c.,

JOHN HAMILTON.

British Consul's Off., Norfolk, Jan'y 23rd, 1796.

W. WILSON AND THO. NEWTON TO THE GOVERNOR.

1796.
Jan. 24,
Norfolk

Since writing of this date, we have heard a report that furniture for the horses now shipping by the British are preparing and making in Williamsburg by a saddler there. Whether this be true or not we can not ascertain. We considered it our duty to lay this before you that the officers who reside at the place may make enquiry.

We are, &c.

COLLIER HARRISON TO HIS EXCELLENCY JAMES WOOD.

Jan. 28,
Wyanoke

Agreeable to your request by letter, I have examined the ordinance belonging to the public and lying at Hood's. There are twelve pieces in sight, and I am told there are some others buried in the sand.

They lay on the shore at high water-mark, so that a large Flat may come within a few yards of them. There are three 24 pounders, two 18s, and the rest smaller—some of them have the trunnions broken off. I am informed that the probable expense of carrying them to Richmond will be about five dollars each for the whole. Two pieces 4 or 6 pounders were some time since carried from Hood's by Mr. Fureton, who now has them mounted at Prince George Court House.

Your Obed't Servant.

Jan. 28

The Governor laid before the board, certain communications from the F. Vice-Consul at Norfolk, and Col. Newton and W. Wilson the Collector, complaining that shipments of horses from this State, in American vessels to the West Indies, on account of the British Government were about to take place, which would be a breach of our Treaty with France, and a violation of Neutrality; wherefore it is advised that Letters be immediately written to the Colonels commandant of York, Eliz. City and Norfolk, ordering them to take effectual measures to prevent the aforesaid shipments, and the sailing of any vessels on board of which any of the said horses may have been already embarked, until the further orders of the Executive.

JOHN HAMILTON TO THE GOVERNOR.

Jan. 29,
Norfolk,
British Consul's Office

I have the honor to acquaint your Excellency, that complaint has been made to me that the American Sloop Diana, loaded with British property, and regularly cleared out at the Custom House of this Port, for a British Port in the West Indies, was on the night of the 25th instant, forcibly

boarded in this harbour by a number of armed men from several boats, who confined her crew below, while they cut away her sails and did considerable injury to her running rigging; the former of which they carried away with them, to the manifest detention of the vessel and her cargo, and consequent detriment of the concerned therein; that the said Sloop being refitted in her sails and rigging during the 26th, proceeded below the Fort and came to anchor near Craney Island, and that in the night she was again attacked by a party of armed men in several boats, who towed her up from her anchorage to this side of the Fort, where they left her aground; and being informed that other American vessels now loading here with British property are menaced with similar outrages, it becomes my duty to request that you will be pleased to give such directions to the proper officers here, as may tend to insure through their authority, the persons interested in the before mentioned cargoes from injury, and to prevent any further violations of the laws which have been flagrantly outraged by the illegalities complained of.

Fully satisfied that after a due consideration of the importance of this representation, your Excellency will take the proper steps to put a stop to further violences,

I have, &c.

JOHN HAMILTON TO COL. WILLIS WILSON.

Complaint has been made to me that the American Sloop Diana, loaded with British property, and regularly cleared out at the Custom-House of this port for a British port in the West Indies, was on the night of the 25th instant forcibly boarded in this harbour by a number of armed men from several boats, who confined her crew below while they cut away her sails and did considerable injury to her running rigging, the former of which they carried away with them, to the manifest detention of the vessel and her cargo; that the said Sloop, being refitted in her sails and rigging during the 26th, proceeded below the Fort and came to an anchor near Craney Island, and that in the night she was again attacked by a party of armed men in several boats, who towed her up from her anchorage to this side of the fort, where they left her aground. And being informed that other American vessels now loading with British property are menaced with similar outrages, it has become my duty to call upon you officially to use your authority to secure the peace of this harbour, which has been flagrantly disturbed by the illegal acts complained of, and to prevent a repetition of these violations of your laws in the instance of the vessel before mentioned and of those now loading.

I am, &c.

1796.
Jan. 29,
Norfolk.
British Con-
sul's Office

W. PRICE TO THE GOVERNOR.

1796. Feb. 1, Land Office Sending, according to order of Council, a list of the gentlemen willing to engage in his office as clerks, viz: Messrs. John Tucker, first clerk; John Roney, Mungo Ray, William G. Payne, Lewis Price, Turner Richardson, and Turner Tompkins.

C. B. JONES TO THE GOVERNOR.

Feb. 3, Brunswick County A number of my fellow-citizens have often requested that I would apply for leave to raise a company of Cavalry in this county; this I should have done had not regulations been entered into that would not admit of more than one company to a brigade, and that liberty had been granted to the Town of Petersburg at a very early period. The amendment to the Militia Law having set aside those regulations, permit me (if it be not too late), agreeably to their solicitations, to call your attention to the superiority of our horses, and the advantage an army must derive from well-mounted Cavalry; and to request that you will commission officers of Cavalry, as it will be not only more pleasing to the citizens, but more certain to be effected than any other description of troops recognized by the Law. Your compliance will very much oblige a number of your fellow-citizens as well as him who has, &c.

JAMES INNES TO THE GOVERNOR.

Feb. 3 I have bestowed on the subject of your last communication the consideration it merited, and should have given the result of my deliberations at an earlier period had it not been for the debility of my right hand, which from gouty affections is often incompetent to the use of a pen.

I should suppose that in the discharge of the General Executive power, which by the Constitution devolves on you as the Chief Magistrate of the State, every authority becomes incidental to it (not contravened by any positive law), which may be necessary so to execute the laws of the Commonwealth as that they may most effectually protect the life, liberty and property of its citizens. It is impossible that our legislative code should be so perfectly directory that, by a species of prophetic anticipation, it should be adequate to point out a minute remedy for every casualty that may happen throughout the various vicissitudes of human events. The object of free Government, in the language of our bill of rights, should be to attain common benefits, liberty, and protection for the nation. The power of the Governor of this State as defined by its Constitution, is, with the advice of a Council of State, to exercise the

1796.
Feb. 3

Executive powers of Government according to the laws of this Commonwealth. The Executive powers of Government hereby invested by the Constitution must be construed to confer every authority necessary to effectuate, according to the axiom recited in the bill of rights, the chief and primary ends of every free Government, which are common benefits, protection, and security, and the words, according to the laws of the Commonwealth, cannot mean (for the reason assigned above) that the legislative acts shall of necessity contain specific directions for the attainment of these ends, but only that no Executive measures for the obtention of them shall be pursued in opposition to positive legal provisions, and where the laws are silent or deficient, then may the Executive power so exert its constitutional authority as to give the necessary aid to other departments of the Government, as emergencies may arise, for the insurance of those objects for which all social compacts were formed. The great mandate of the Constitutive body of a free Government to its magisterial servants is, to take care that no injury happen to the Government, whose salvation should ever be held as the supreme law.

By applying these general preliminary observations, which grow out of the consideration of free government institutions in general and of our own in particular, to the case which you have been pleased to submit to my inspection, I presume that the conclusion I have formed from reflecting thereon may readily be anticipated. That is, as the residence of the persons whose presence in this country is necessary for the accomplishment of public justice happens to be in a place where the ordinary authorities of the Judicial Department cannot be enforced, the supreme Executive power of the State may afford any aid, not contravening the Constitution thereof, which may be requisite to give energetic effect to the laws, and to vindicate the violated rights of society. I would not wish that it should be inferred from what I have said, that Government would be authorized to make it an object of lucre with the witnesses to attend on this solemn occasion. That would tend to establish a precedent which might be productive of the most abominable consequences; yet I think that the Executive would be correct and strictly within the limits of their constitutional powers, and duty also, to procure the attendance of those necessary witnesses from the territory south of the Ohio, on a stipulation to pay them any deficiency which might arise from the inadequacy of their legal allowance, requisite for defraying their necessary expenses from and to their homes and during their attendance on the culprit's trial. If apprehensions of using this discretionary and necessary power should arise from the probability of abusing it in its application, it may be answered, that to reason against the use of a thing from the possible abuse of it, would militate towards the non-use of the most estimable of human attributes; but in a Government like ours, such a mode of reasoning would be less sanctionable, because the

1796.
Feb. 3 rotation and responsibility of office established by it will forever protect its citizens against the exercise of unwarranted powers.

The usage of the Executive of this country, under almost every successive administration since the adoption of the present Government, will I believe, when attended to shield me from the charge of novelty of opinion.

I allude to the reiterated practice of issuing proclamations, holding forth rewards for the apprehension and delivery of persons accused of Capital offences, even before a competent Judicial examination had been held—out of many instances which I could cite, I will select one as the strongest among them. I mean the case of one Woodward, the notorious Counterfeiter of Coin as well as of public papers, an Inhabitant of the County of Dinwiddie, who was apprehended under a proclamation of the Governor of this State, in Georgia, and delivered here for the premium of one thousand dollars. Now I can see no difference between exerting the Executive arm of Government, and applying the public treasure for the purpose of bringing an offender from another State, into a jurisdiction where alone he could be brought to Justice for his crimes, and that of using the same means under similar circumstances, for the purpose of obtaining the only testimony by which a most flagrant outrage upon the public peace and security can be ascertained and punished. The Government becomes as much a party against an Individual in one case as in the other—might be equally corrupt and oppressive in one case as in the other, and is actuated equally on the emergency of the case, by motives arising from a due regard to the public weal unfiscued by any express legal directions, and without such Executive interferance the penalties with which the laws are armed, to punish the wicked for the commission of vice, would be easily evaded, and the laws themselves with impunity trampled upon and disregarded, by the vilest miscreants that degrade the human species. For the assured enjoyment of life, liberty and property, every member of the social compact contributes a portion of his property to the public funds, which when applied to the maintainance and defence of those inestimable blessings, may justly be considered by the contributors, as constitutionally, safely and properly appropriated by the Governing powers.

Having understood that your objection to pursuing the only means by which Branch, the person alluded to in your letter, an old and dangerous offender, can be brought to make attoneymen for his repeated breaches of the public security, arises from a fear of being lead into an undue exertion of authority, I have taken the liberty, with great deference, to state in a summary way, the foregoing reasons which induce me to advise you to take such steps as the attainment of Public Justice requires, without hazarding an injury to the constitutional liberties of the people.

With sentiments of perfect Respect and consideration,

I have, &c.

At a Court held for King and Queen County, at the Courthouse, on Monday, the 12th of October, 1795:

1796.
Feb. 3

Present: William Dudley, William Fleet, John Haskins, Robert Haskins—Gentlemen Justices.

The Court do appoint William Courtney, Commissioner of the tax in this County in that District lying above the road leading from Mantapike to the Bestland Bridges.

The Court do appoint William Fleet, Commissioner of the tax in this County in that District lying below the road leading from Mantapike to the Bestland Bridges.

A Copy—Teste:

RO. POLLARD, C. C.

W. WILSON TO THE GOVERNOR.

I should have immediately acknowledged the receipt of your Excellency's letter (dated 29th of Jan'y and handed me the evening of the 1st Instant), but conceived it necessary that the result of my proceeding thereon should accompany the same.

Feb. 3,
Portsmouth

Without delay on that evening I informed the British Consul by letter, the instruction I had received from the Executive of Virginia, requiring of him satisfactory assurance of compliance therewith; but not receiving from him an answer in time, and there being a sloop and ship ready for sea with horses on board (the former having proceeded to Hampton Road) I conceived it my duty to act with promptitude.

I dispatched the Revenue Cutter with a detachment of militia after the Sloop—gave a copy of my instruction to the owner of the Ship, with a request that he would give orders to stop her in conformity thereto, and placed a party of the artillery at the forts to give effect to my instructions.

This morning (9 o'clock) I received the B. Consul's answer to my letter of the 1st Instant, which I beg leave to enclose, at the same time I see the Sloop Diana coming into port. She was anchored very close to Admiral Murray in Hampton Road, who sent his pinnace after her, but made no attempt hostile to reclaim her. On the nights of the 25th and 26th we had some disorder in the Harbour, owing to attempts made on board the Diana to proceed to Hampton Road with her cargo of horses, where lies some British ships of war supposed for a convoy to these vessels. The party were finally prevailed upon to desist and wait the result of Government. I also enclose the B. Consul's letter upon that subject.

With respect, &c.

SIR:

In answer of your letter of yesterday, I have to observe that the only vessels from this Port, as far as I can learn, on board of which horses

1796. are embarked, are the Sloop Diana and Ship Thomas, both of which are
 Feb. 3, cleared out regularly at the office of the Collector for this Port.
 Portsmouth

I enclose you a copy of the letter received by the Collector from the Attorney-General of the United States for the District of Virginia, by which you will perceive that the shippers of the horses have not in his opinion contravened any existing laws or treaties by their shipments; such being the case, I consider the vessels already cleared out cannot be detained by any force acting under the orders of the State Executive, without a manifest violation of the laws of the United States, and therefore that they should be allowed to proceed. If they are not permitted to do so, I shall conceive the State Government liable for the extra expence occasioned by such detention.

It has ever been my wish to conduct myself with every possible respect for the local laws and general regulations of the country of my residence, and you will do me the Justice, Sir, to believe that no Endeavours of mine have ever been wanting to reconcile any existing differences of opinion on the present occasion; therefore, I shall give directions that the further prosecution of the Shipments alluded to be discontinued until advices on the subject be received from the Executive of the United States; but as I cannot accord with the principles laid down by the Governor of Virginia on that head, I shall expect that the Government be answerable for any additional expenses that may accrue to the shippers for the detention of the vessels they have engaged to freight.

With respect, I am, &c.,

JNO. HAMILTON.

British Consul's Office, Norfolk, Virginia, 2nd February, 1796.

THOS. NEWTON TO THE GOVERNOR.

Feb. 7, I have just received a letter from on board the Resolution, Admiral
 Norfolk Murray, from Henry McGeary, an American citizen, impressed. This man your Excellency has been before informed of, and directed an inquiry on May 4th last to be made for him and several others, with a Martin Marland's petition from the Secretary of State. As I before made application to Mr. Hamilton in the case of Rabourn, who solemnly swore he was an American citizen, and brought circumstantial proof sufficient for me, yet these were inadmissible by Mr. Hamilton. Under these circumstances I have not applied to him for this poor man, who appears to me, from every circumstance, to be an American, but lay his case before you to try the effect of Mr. Campbell's advice of a Habeas Corpus, of which you will please to advise, or give such directions as you think proper. McGeary says his family, or Father's he means, lives at present in Loudoun county, 45 miles from Alexandria, 12 miles from Leesburg,

and 15 from the Blue Ridge; that Col. Powell had been County Lieut. but resigned, and Col. Peyton was when he left it, and that his nephew, Fra's Peyton, was a magistrate in Alex'a; that his father has been overseer to Col. Mercer and Col. Carter, on their lands in the same county, and that his s'd father was a soldier last war; that he is now only 22 years old. These, sir, I am of the opinion, are convincing proofs; but as Rabourn's were as good, in my opinion, and other proof required from Santee, S. Carolina, in his case, I think it best for to have a trial before Judges, and not leave so important a point as the detention of a citizen to be determined on by the British officers. The vessels with the horses lie here agreeable to your directions, until we hear further. Col. Hamilton agreed by his letter that no further shipments should be made until we heard from you again.

1796.
Feb. 7,
Norfolk

The very high price of provisions in this place, and I believe throughout the State, is becoming very alarming. I. meal is selling at nine shillings per bushel and rising. Flour is excessively high, 12, 13 and 14 Dollars, and some are of opinion it will be 20 per barrel. If this should be the case, most of the lower part of this country, all the lower parts of North Carolina, will be in as bad a situation as France or Britain has been. The exports and purchases made and making will cause a famine if permitted, I apprehend. I think I can venture to say, with truth, that a large number of families are now destitute of grain of any kind on the seaboard, and those who were not so exposed, did not make one-quarter sufficient to support their families. If there ever was a cause for a prohibition in any country, I think this is the time.

I am, &c.

At a Court held for King and Queen County, at the Courthouse, on Feb. 7
Monday, the 8th of February, 1796:

Wm. Fleet resigns office of Comm'r of the Tax in King and Queen, and Beverly Roy appointed by the court for the same.

THOS. NEWTON TO THE GOVERNOR.

Admiral Murray is gone to sea, so that there will be no occasion to demand Henry McGeary for the present, but if he should come in again it may be necessary to have a process ready if it should be deemed proper to proceed that way by your Excellency. We have no news here.

Feb. 9,
Norfolk,

I am, &c.

DAVID PATTERSON TO THE GOVERNOR.

1796.
Feb. 10,
Richmond

Being in the city of Richmond on Saturday last, I was notified that Captains Railey and Wooldridge had laid before you the proceedings of a General Court-Martial held at Chesterfield Court-House on January 29th last for their tryal in arrest.

On going to Major Coleman's office and examining the papers, I find the order of Major Hill of Mar. 23rd, 1795, and two certificates from the Clerk of the Court-Martial carried forward, which by no means appear to be part of the record, as forwarded to me by Major Burfoot, the presiding officer; indeed, you will see those certificates are not signed by him, but by Mr. Whitworth as Clerk only. The latter part of the 33rd sec'n of the Militia Law expressly declares it to be the duty of the Commandant to furnish the proceedings in cases of appeal.

I therefore had no doubt but that the papers would have been seen by me, or have known of them before they went to the Executive. In that case I should have laid before you the Reg'l Orders of Oct. 12th, 1795, on which the arrest is bottomed, and which is now inclosed. Strip the papers carried up of the order and certificates before mentioned, and then permit me to ask if it does not appear with a different complexion.

Sir, thinking and feeling that the reputation of officers of great worth of the Militia, ever ready to obey the constituted authority, and whom I love, and my own is in some measure at stake, duty seems to direct me to lay the orders, &c., which have been issued in this business, and which are now inclosed, before you for consideration.

I am your honor's, &c.

Reg'l Orders.

October 12th, 1795.

The Major and commanding officers of companys of the first Battalion will meet at Chesterfield on Saturday, the 24th inst., and the Major and commanding officers of companys of the second Battalion will meet at a house of Francis Lockett's, Sen'r (on the north side of the road, at or near the ground on which the last Battalion muster was had), on Monday, the 26th inst., for the purpose of holding Courts-Martial for the assessment of fines.

Copy.

R. O.

DAVID PATTERSON,

Lt. C. C. 23rd Reg't.

Dec. 12th, 1795.

Major Thomas Burfoot, Capts. Edward Branch, Rowlett, Folkes, Rudd, Dance, Newby, Cheatham, Thos. Branch, Traylor, and Lieuts. Gill, Goode, Branch, Graves, Baugh, Findley, and Hodges will meet at Chesterfield Courthouse on Wednesday, the 23d Inst., in order to hold a

General Court-Martial for the tryal of Captain Thos. Railey, Robert Wooldridge, Aaron Haskins, and Richard Goode, in arrest for disobedience of orders, of which Court Major Burfoot is to preside.

1796.
Feb. 10,
Richmond

Copy.

DAVID PATTESON,
Lt. C. C. 23rd Regt.

CHARGE AGAINST CAPTS. RAILY AND WOOLDRIDGE.

Disobedience of orders in refusing to sit in a Court of Enquiry and assessment of fines for the Second Battalion on Monday, the 26th Oct. last, in a House of Fras. Lockett's, Sen'r, on the north side of the road.

LETTERS TO THE OFFICERS.

Dec. 12th, 1795.

CAPT. RAILY:

Sir:

You herein have enclosed a copy of R. Orders and the charge against you.

You are now to consider yourself in arrest, and consequently suspended from the exercise of all the powers and authority vested in you by the commission which you have the Honor to hold, until the termination of your tryal.

I am, &c.,

DAVID PATTISON,
Lt. C. C. 23rd Reg't.

Copy.

MAJOR BURFOOT'S REPORT.

Capt. Thos. Railey and Robert Wooldridge under arrest, being charged by David Patteson, Lt. Commandant, with disobedience of orders in refusing to sit on a Court of Enquiry and assessment of fines for the Second Battalion on Monday, the 26th of Oct'r last, in a House of Fras. Lockett, Sen'r, on the north side of the road.

The said Railey and Wooldridge objected to Capts. Hezekiah Rudd, Thos. Branch, and Lieut. William Goode sitting on Court, and they refusing to sit, there was not a sufficient number of officers to compose a board.

R. Orders.

Jan'y 11th, 1796.

Major Burfoot, Capts. Edward Branch, Rowlett, Folkes, Dance, Newby, Cheatham, Traylor, Baugh, and William Branch, and Lieut's Gill, Graves, Fendley, Hodges, Hancock, Thos. Friend, Moseley, Lockett, and Edward Friend will meet at Chesterfield Court House on Fryday, the 29th Inst., in order to hold a general Court Martial for the tryal of Capt. Thos. Railey, Robert Wooldridge, and Richard Goode, in arrest for disobedi-

1796. Feb. 10,
 Richmond

ence of orders, of which Court Major Burfoot will preside. It is hoped
the officers will be pointed in their attendance.

DAVID PATTESON,
Lt. C. C. 23d Regt.

Charge as of the 12th Dec. past.
Copy.

JOHN HAMILTON TO THE GOVERNOR.

Feb. 15. Norfolk,
British Consul's Office

I have deferred replying to your Excellency's letter of the 4th instant with the hopes of being informed by you of the result of the reference which it was determined by the Executive of Virginia to make to the President of the United States of the questions arising under the meditated shipments of horses. This reference your Excellency had the goodness to represent would not occasion much delay (the President's answer being expected by the mail due the evening of the date of your letter).

No advices having been received by me from your Excellency, though many days have elapsed since I received your letter, I must, at the same time that I beg leave to express my surprise at the circumstance, request that you will communicate to me, as soon after the receipt by the Executive as possible, the determination of the President on the subject, in order that I may give such directions to the concerned in the projected shipments as may be necessary.

I think it proper to state to your Excellency that they represent to me that the extra cost of keeping the horses detained by the orders of the Executive amounts to a very large sum per diem, and that the damage of the vessels engaged by them will also be ultimately immense, upon what party so ever these expenses may eventually fall. I therefore flatter myself that your Excellency will see the propriety of giving me the earliest intelligence relating to this affair.

With perfect esteem and respect, I have, &c.

P. S.—I have the honor to acquaint your Excellency that I yesterday, after writing the foregoing, received a letter from Colonel Wilson informing me of the revocation of the orders of the Executive issued on the 29th ultimo to arrest the departure of the horses therein alluded to. Colonel Newton not being in town, his son-in-law forwarded to me a copy of your Excellency's letter to that gentleman, dated the 12th current on the same subject.

J. H.

To the Governor or Chief Magistrate of the Commonwealth of Virginia:

1796.
Feb. 15

We, your petitioners, from a consciousness of its not being our intention to injure, trespass on, or in anywise infringe on the Laws or on the Liberties of a certain Mr. Radford, at a time when he drove a parcel of Cattle to a plantation of his in our neighborhood, which before that unhappy period had never experienced the calamity of what is called the Distember in Cattle. Knowing the operation of the law would not stop the contagion, and he being without a Bill of Health much alarmed us, in consequence of which we assembled the next morning at the plantation of Mr. Radford, with arms (knowing they were drove through Distempered Stocks), and offered him the following terms, which had been offered him by us before he moved his cattle from Hanover: which was, to buy them and sell him cattle clear of all distempers, or to exchange them in quantity and quality, or to destroy them and let him take the course of the Law on us. But Mr. Radford chose to exchange them by the valuation of Col. Randolph and Capt. Lightfoot, both chose by himself, in consequence of which bonds passed from him to us and from us to him, under penalties to meet on a certain day and make the exchange. But, to our great mortification and surprise, the first we heard from Mr. Radford was an indictment in behalf of the Commonwealth, including men who only called by, not living in the neighborhood, to negotiate business with one of us, which means he put it out of our power to defend ourselves on fair grounds, in consequence of which a judgment went against us for sixty pounds and costs, an execution for which is now in the hands of the Sheriff.

This being the Truth of the case, as will further appear from the knowledge of Col. Innes and affidavits which he has in possession, showing that we do daily experience the loss of our Cattle from the causes above cited (which causes some families almost to come on the parish that before lived free from want), we, your petitioners, hope and trust that you in your wisdom, with your Council, will consider the hardships we labor under, and that the small sum before mentioned, will be no object to the State, particularly when recovered from perhaps as good citizens as any, and not able to pay any money except their just debts.

James Walker, John Burke, Sam'l Durfey, Edw'd Holderoff, Wm. Jackson, Miles Carey, Ralph Burton, Cornelius Durfey, Harrison Pearman, Robert N. Marston.

Dec. 10th, 1795.

The Auditor rather doubts whether he has power to suspend service of the ex'on in this case, but as the Hon'ble Board wish that the objects of the amendment should have a chance to avail themselves of the lenity

1796.
Feb. 15 of the General Assembly, J. P. has written to the Sheriff of Charles City, requesting him to refrain from levying the ex'on until he receives further directions, and has promised to acquaint the Court from whence it issued of the interference.

Feb. 15th, '96.

ISAAC SHELBY TO THE GOVERNOR.

Feb. 15, Kentucky Since the date of my letter to your Excellency of the 18th of September last, I have received a second letter from Mr. Arthur Campbell on the same subject which was mentioned in the first. I submitted the information which I had received respecting the business to the consideration of the Legislature of this State at their last session, in consequence of which they passed an act empowering the Governor of this State to take such steps as he may judge proper for the permanent establishment of the boundary line between this State and the State of Virginia. I now do myself the honour of transmitting to you a copy of that Act. The mode pointed out by that Act of doing the business by Commissioners seems to me to be the most eligible one which can be adopted, but if any other way which will be equally expeditious and effectual, and more agreeable to the State of Virginia can be suggested, I shall with pleasure consent to it on the part of this State.

As I consider the speedy establishment of this line a matter of consequence to the peace of both States, I must request that I may hear from you on this subject as soon as your convenience will admit.

I have, &c.

**AN ACT CONCERNING THE BOUNDARY LINE BETWEEN THIS STATE
AND THE STATE OF VIRGINIA.**

Whereas it is represented to this present General Assembly that several persons from the State of Virginia have made encroachments on the territory of this State by entering thereon Land warrants issued by the Register of that State, and it is necessary that the Line between this State and the State of Virginia should be established so as to prevent any doubts in future respecting the said Line—

Be it enacted by the General Assembly, that the Governor of this State be, and he is hereby, directed to open a correspondence with the Governor of the State of Virginia, relative to the said boundary Line, and to appoint three Commissioners, if to him it may appear necessary, or to do whatever else may appear most proper for the permanent establishment of the said Line so as to prevent any doubts in future respecting it. And be it further enacted, that James Thompson and William Croghan

be appointed to ascertain the head of Green River, and then to run the North East Line of the Military Lands.

1796.
Feb. 15,
Kentucky

EDWARD BULLOCK, S. H. R.
ALEX'R S. BULLETT,
Speaker of the Senate.

Approved Dec'r 21, 1795.

ISAAC SHELBY,
Governor of Kentucky.

STATE OF KENTUCKY, SECRETARY'S OFFICE.

I do certify that the foregoing is a true copy of the enrolled Bill filed in my office.

Given under my hand this 26th January, 1796.

JAMES BROWN, Sec'y.

THOS. NEWTON TO THE GOVERNOR.

In my absence y'r Exc'y's favor respecting the horses arrived. They are gone, and I hope consigned to the French service.

Feb. 21,
Norfolk

Last night I received a letter from Judge Griffin, which I enclose: By the proceedings which he requires of the man's swearing &c, we shall be deprived of our seamen. They will never be permitted to come on shore. If application was made to Coll. Peyton, of Fauquier, probably proof sufficient might be adduced to induce the Judge to issue a H. C.

The man's oath with the British cannot be admitted; it was tried in the case of Rayborn without effect, and with strong circumstances in his favor.

We have many vacancies in our Militia, and wish to have the law of last session to fill them up, as I think there is an alteration which effects the promotion of officers.

Capt. Street is dead; his place we are at a loss about, and could wish it to remain until some person could be fixed on, that would fill it with general satisfaction. This your Excellency and Council are empowered to do without recommendation, being a volunteer company.

I am, &c.

WILLIAMSBURG, Feb. 19th, 1796.

SIR:

In consequence of a letter from Governor Brooke, I beg leave to inform you that I cannot direct a habeas corpus to issue unless the applicant, MacGeary, will make affidavit before the Mayor of Norfolk, that he is an American citizen, and that he has not voluntarily entered on board the British Ship of War the Resolution, but that he is detained by force on board the said vessel; together with such other proofs as he can adduce to support his petition to me.

1796.
Feb. 21,
Norfolk

These papers being transmitted, I will consider the matter immediately, and if the law can justify the proceeding, most cheerfully a writ shall be awarded to bring the parties before the Judge.

Being upon official duty from home, I did not read the Governor's letter until this moment.

I am, &c.,

C. GRIFFIN.

W. WILSON TO THE GOVERNOR.

Feb. 23,
Portsmouth

A number of young Gentlemen of this place are very anxious of forming themselves in a company of Artillery, under the command of John Cowper, Esq'r, and have requested me to solicit your Excellency, to furnish them with two field pieces for training. In this they are the more emulous, as they have established a company in the Borough, which is furnished with two pieces and have made good progress in training. The two Regiments of this county have not as yet any Artillery Corps, and by granting to this intended Company two small leavelling Pieces, (for which I will be responsible) it will greatly add to our Military completion. I wait your answer, and if they can be had, the recommendations for the officers will be sent up.

I have the honor, &c.

A. VANDERHOST TO THE GOVERNOR.

Feb. 24,
Charlestown

In answer to your letter of the 9th ult'o, respecting the interchange of the laws of Virginia and of this State, I have the honor to inform you, that being in sentiment with you on this subject, I have directed the Secretary to forward to you, the existing Code of Laws of this State up to the present time, by the first convenient opportunity by water, as I apprehend they will be too bulky for the post in the first instance, but hereafter may be sent annually by that conveyance.

I am, Sir, with great respect and esteem, Your &c.

THO. NEWTON TO THE GOVERNOR.

Feb. 28,
Norfolk

I received your Excellency's Letter respecting the purchase of two acres of Land for building houses for the reception of the goods and accommodating persons who are under performance of quarantine. I have two places in view, but have not yet seen the owners of either. I shall endeavour to purchase one of them, but suppose three or 4 acres would be better and not cost much more than two.

I'll thank your Excellency for the Law, as these houses are for a permanency. I suppose they ought to be built of good materials, and comfortable for the sick, and the Warehouse strong and safe. In my opinion they will, in course of time, save the State much expence, as there will be no occasion to hire boats; the person who resides at the place will be sufficient guard, and the pilots now having a reward for bringing the vessels too, will prevent the necessity of boats. I shall with pleasure attend to the business, and should be glad to have instructions early respecting the houses, as this is the season for engaging timber, &c.

1796.
Feb. 28,
Norfolk

I am, &c.

WILLIAM STORKE TO THE GOVERNOR.

Be pleased to send p'r the bearer (Major Hansford) my commission as Sheriff for the County aforesaid for the ensuing year, the order of Court for nomination having been sent to you some time since.

March 4,
King George
County

I am, &c.

JAMES McHENRY TO THE GOVERNOR.

I have to acknowledge the receipt of your Excellency's letter of the 26th of January last, together with the acc't and vouchers of the Militia and Scouts of the State of Virginia, which have been delivered to the Accountant to be placed under examination, who will attend to the same as early as possible.

March 4,
War Office

I have the honor, &c.

Capt. James Hawkins resigned commission in the Volunteer Militia by letter of Oct. 18th, 1794, to A. Lewis.

March 4

ANDREW WOODLEY TO THE GOVERNOR.

This come to inform you that I have taken the collection for the Revenue of '96—the back tax for '95. I am willing to collect also upon condition that you give me until November, ninety-seven, as I conceive it cannot be collected sooner, as the collection for ninety-seven will be also to collect. If the above terms meet with your approbation, please to give me an answer immediately, and you will greatly oblige, dear sir,

March 6,
Isle of Wight

Yours, &c.

1796.
March 6 At a Court held for Albemarle county the seventh day of March, 1796, the following officers were nominated and recommended to the Governor and Council of Virginia, viz: Christopher Hudson as a Captain of Horse, Peter Loll as First Lieutenant of Horse under Christopher Hudson, Robert W. Lewis as Second Lieutenant of Horse under Christopher Hudson, Charles Jouett as a Cornett of Horse under Christopher Hudson.

A copy—Teste:

JNO. NICHOLAS, C. A. C.

GEORGE PICKETT TO THE GOVERNOR.

March 9, Richmond Solicits remission of fine for non-attendance as a juryman at Superior Courts in 1789, amounting to £8.10.

DABNEY MINOR TO THE GOVERNOR.

March 10 Prays the remission of a fine against Wm. Minor, dec'd, for non-attendance.

Wm. SIMMONS TO THE GOVERNOR.

March 14, Accountant's Office The Account and Vouchers for the Pay and Subsistence of the Militia, Pay of the Scouts, and Incidental expenses for the Protection of the Frontiers of the State of Virginia in the year 1795, transmitted by your Excellency to this Department on the 26th of January last, as mentioned in your letter of that date to the Secretary of War, have been under examination in this Office, and are now adjusted. The sum appearing due is five thousand five hundred and sixty-one dollars and ninety-eight cents, differing from that stated by Mr. Pendleton, one hundred and sixty-seven dollars and fifty-four cents, owing to sundry deductions as will appear by the enclosed statement. It may be necessary to mention that the above difference, principally arises on account of their claims for services in 1793 and 1794 being rejected; for it was understood that the last settlement with the State of Virginia, for the Pay &c., of her Militia in the Protection of her Frontiers, included all claims of that nature to the latter end of the year 1794, and it would be now very improper to have to revise or re-examine that settlement, which must be the case, if charges are produced that should have been brought forward previous to that settlement, many charges in that account, although not properly authorized or vouched, having been admitted under the idea that it was to be a final settlement up to the date above mentioned.

It will be necessary that you draw an order for the amount now due, which will be immediately paid on your authorizing some person to pass his receipt for the same.

1796.
March 14,
Account-
ant's Office

I am, &c.

STATEMENT OF DIFFERENCES WHICH APPEAR ON EXAMINATION OF
THE VIRGINIA CLAIMS FOR PAY, &c., OF HER MILITIA AND SCOUTS
IN 1795.

| | | |
|---|---------------|----------|
| Amount of the Account as stated by Mr. Pendleton, - - - | 5,729 52 | March 14 |
| Amount of Ditto as stated in the Accountant's office, - - - | 5,561 98 | |
| Difference—Dollars, | <u>167 54</u> | |

Accounted for as follows—viz't:

Deductions.

| | | |
|--|---------------|--|
| Amo't Pay of Nathan Parks and John Radcliffe for services in 1794 Rejected, it being under that last Settlement with the State of Virginia included all Militia claims to the latter end of that year, - - - | 104 50 | |
| Ditto of Henry Willis and 11 others for services in 1793, the same remark as above, - - - | 40 52 | |
| A Bill of Doctor White for medical attendance in 1793, same remark, - - - | 9 45 | |
| | <u>154 47</u> | |
| Overcharged in the Pay of Eus. Whitman, he being made up on the Roll at 22 Dollars p'r month instead of 20 Dolls., - - - | 3 93 | |
| Ditto in the subsistence of a Detachment commanded by Ditto, - - - | 20 | |
| Ditto in the Pay of the Lieut. and Serg. of Capt. Haymond's Co., 3 cents each, - - - | 6 | |
| Ditto in Rations issued by Lt. Levi Morgan to 5 Indian Prisoners from 7th Nov. to 12th May, '95, being but 187 instead of 188 days, as ch'd in acc't, - - - | 40 | |
| Ditto in the Pay of Serg't Cooms and 7 Privates from 12th Sept. to 12th Oct., '95, - - - | 9 | |
| Ditto in the Pay of Bartholomew Jenkins and Jacob Scott, Scouts from 1st of Aug. to 9th Nov., '95, 8 cents each, - - - | 16 | |
| Ditto 10 days each in the pay of John Young and Joseph Burwell, Scouts from 21st of July to 3rd Oct'br, '95—stated in the acc't to be 85 instead of 75 days' service—amount, - - - | 16 66 | |
| | <u>21 50</u> | |
| | <u>175 97</u> | |

| 1796. March 14 | Additions. |
|--|------------|
| Short charged in the Pay of 21 Privates of Capt. | |
| Haymond Cop'y, - - - - - | 5 10 |
| Ditto in the Pay of Friley and Wm. Dorton, Scouts from 5th of May to 5th September, '95, 10s. each, amounting to - - - - - | 3 33 |
| | <hr/> 8 43 |
| Difference above stated—Dollars, | 167 54 |

DEPARTMENT OF WAR, ACCOUNTANT'S OFFICE,
March 14th, 1796.

Admitted the sum of 5,561 98-100 Dollars.

WM. SIMMONS, Acc't.

Stated in the Accountant's Office.

HENRY BARREY, Cl'k.

March 15 At a Court-Martial held at the house of Gravit Edwards the 25th day of October, 1795, for assessment of fines within the first Battalion, 88th Regiment, Thomas Bell, Colonel Commandant of the said regiment, being reported as delinquent, in failing to attend a Court-Martial held here the twenty-fifth day of May last, and he being heard in his own defence, it is considered by the Court that he pay a fine of seventy dollars for his said non-attendance.

A copy from the Record.

JOHN CARR,
Clerk 88th Regiment.

JOHN STRODE TO THE GOVERNOR.

March 18, In conversation which I had with the Honorable Colo. Burnley relative to the arms which I contemplate to make for the public, it appeared that specific proposals are expected from me; to make which I am under difficulty, because the honorable Board has not furnished me with a pattern to operate as a rule, nor am I informed of the length and quality which will be required.

Colo. Burnley says that the intention is to have such arms made as those of the United States, which probably is to receive a ball of 18 to the pound; upon this opinion I shall endeavor to form an estimate calculated to execute the Guns essentially in the very best manner.

Supposing the Barrel to be 3 feet 8 inches in length, the Bayonet one foot 5 inches in the blade, a double bridle Lock of the best construction, neat Brass Mountings, Steel Ramrod, neatly Stocked of Black Walnut, a

Cartouch Box suitable to contain 24 rounds, with neat Black Leather Belts, mounted with Brass Buckles, complete; wiper for the pan, and picker for the touch-hole; as well finished and as good in quality as those of the United States.

1796.
March 18,
Richmond

Yet the Hon'ble Executive may vary this in any respect, grounding their ultimate decision on future information and the principles of this assumed estimation.

That is, for every Gun and accoutrements of the above description, the Band whereof has been duly proved with double charge of powder and ball, in presence of two men for that purpose commissioned, and delivered in cases or chests of Twenty Stand each; to be allowed the sum of Twenty Dollars for each Stand. That I shall have four months allowed to prepare the machinery, procure hands, and fix for the business. After that, to deliver in the course of the next three months at least 750 Stand; in the next three months at least 1,000, in the next three months another 1,000 at least, and in the last three months the residue of the 4,000 Stand, making, in the whole time, sixteen months after the date of the Deeds of the Contract. That on my giving a sufficient security on Lands and Slaves (to be ascertained by commissioned appraisers) to double the amount, the Hon'ble Executive advance me one-fourth the sum contracted for, and that hundred stand, or equal quantity which I shall deliver, to be entitled to receive at the rate of Fifteen Dollars per stand, leaving in reserve at the rate of Five Dollars per Stand, to go in part discharge of the money advanced, and so on in like manner for every other quantity of one hundred or upwards, until the whole amount of the stipulated number of 4,000 Stand be delivered. With all due regard this hasty estimate is submitted to your Honorable Board by

Your, &c.

W. WILSON TO THE GOVERNOR.

At the solicitation of Bernard Magnien, Nathaniel Cooper, and John Brookes, John Cowper, Jr., Robert Shelton, and Thos. Emmerson, I take the liberty of naming them as proper gent'l'n for officering (as they stand named) two companies of artillery in this place.

March 27,
Portsmouth

The three first named gentlemen already command a company denominated Grenadiers, but they and their whole company are very solicitous that your Excellency will indulge them to enter the Artillery Corps by commissioning them therein. This request is the more expedient, as Capt. Magnien and several of his men are experienced in the duties of that Corps. Mr. John Cowper and his officers (if commissioned) will, I presume, soon make up their quotas of recruits.

I have, &c.

FONTAINE MAURY TO THE GOVERNOR.

1796.
March 28,
Fredericks-
burg

I am directed by the Inhabitants of this place to transmit to you the inclosed paper. From it it would appear that some person seems determined on the destruction of the Tobacco Warehouses of this Town, to protect which a guard has been out every night since the attempt was made, and one will be continued in hopes of discovering the perpetrator of this inhuman act.

With real respect, I am, &c.

It appears that Mr. Jefferson is indebted to the State on an account he settled with the Auditor in Dec. 1789, £1,934 3-6. J. P. wrote to him on this subject while he resided at Philadelphia, and received for answer that his private papers were all at Monticello, and promising to settle the balance on his return to Virginia, since which S. P. has not reminded him of it. J. P. wishes however that the deduction which Mr. Jefferson proposes of this sum from the claim of Grand & Co., may be considered by the honorable Board as conditional for the present, having a faint idea that Mr. Jefferson talked (at the time of the settlement above mentioned) of balancing the amount by Expenses or Comm's for some public Agency. I will write Mr. Jefferson now and have an explanation and final settlement with him.

J. PENDLETON.

Aud'trs Office, 28th Mar. 1796.

CHAS. S. BOUSH TO COL. THOS. NEWTON.

March 30,
Norfolk

A House 24 by 16, with a 12 ft. Shed, can be build with bricks 1½ brick thick, for £280. If of wood underpinned with bricks, £250. A warehouse 40 by 20, of bricks, for £250, and if of wood for £220, or thereabouts.

I am, &c.

RO. QUARLES TO THE GOVERNOR.

March 31,
Richmond

Inclosed you will receive the usual Quarterly Return of Military Stores under my care.

I think it may not be improper to mention to the Executive, that from the great difficulty in getting suitable Iron for our Shops in Richmond. I shall be under the necessity of sending for that article, to some of the

works beyond the mountains. I will therefore request the Board to grant as much money in advance as will procure me a Ton.

1796.
March 31,
Richmond

I have, &c.

A QUARTERLY RETURN OF THE ARMS AND OTHER MILITARY STORES AT THE STATE ARSENAL, FROM THE 1ST OF JAN'Y TILL THE 31ST OF MARCH, 1796.

1 16 Inch Brass Mortar, 1 6 pound Brass field piece, 1 4 pound Ditto, 1 Iron piece, 5226 Muskets in complete order, 2699 Muskets with rough Bayonets, otherwise in good order, 296 old Muskets out of repair, 659 new stocked Muskets wanting Bayonets and ramrods, 400 No. Pickers and Brushes, 2939 Musket worms, 132 Screw Drivers, 805 Artillery swords, 293 Grenadier swords, 7 barrels of Gun Powder, 40 Pigs of Lead, 181 Case Shot from 6 to 4 pounds, 263 Round Ditto, 30 Rheams of Cart'g Paper, 436 Cannon Tubes, 18 Barrels of Flint, 1650 pounds of Ball and Buck Shot, * 80 Muskets Stocked, 272 Bayonets and Ramrods forged, filed and fitted, 144 Bayonets and Ram Rods ground and polished, 95 No. Muskets made complete with ground Bayonets and Ram Rods and Racked.*

March 31

*Work of this Quarter.

N. B.—72 stand of repaired arms are boxed up and ready for delivery to Capt. Caruthers as per order. 50lbs. of Gun Powder delivered to the order in favor of Colo. Patterson.

Ro. QUARLES, Supt.

31st March, 1796.

T. H. MACON TO THE GOVERNOR.

Agreeable to the directions of the Executive, I have examined the ordnance of the ship-yard and find there are only two 36-pounders and about half a Ton of cannon Ball of different sizes. It has been suggested to me that there was a large number of Balls and Bomb-shells which has been taken away and carried off by several disorderly persons in course of two or three years past. The cannon are spiked up, but independent of that they appear to be good pieces and worth attention. I think it would be advisable to have them taken care of as soon as it can be done with convenience, for they are now exposed to every high Tide, which will tend to injure them very much if they remain in the same situation any length of time.

April 4

I am, &c.

WILLIAM B. WALLEM TO THE GOVERNOR.

1796.
April 8,
Falmouth

Besides the 25 Hogsheads of Tobacco that were saved from the fire when Dixon's Warehouse was burnt, 22nd of last Inst., there was a quantity of loose Tobacco, from which the casks were burnt, taken from the flames by some persons in consequence of assurances from us that they should be paid for it. We estimate the quantity to about Ten or Twelve Thousand lbs., and wait for the orders of the Executive respecting its Disposal—viz.: whether we are to purchase casks and prize it up, and when prized whether we are to sell it at public Auction and account with the Treasurer for the money. There are also some articles of less consequence rendered useless here by the fire which belong to the Commonwealth, as the mettle of the standard weights and Iron articles of different kinds which might be sold. We are very desirous to have some instructions respecting the persons who saved the loose Tobacco above mentioned.

And am, &c.

W. FOUSHÉE TO THE GOVERNOR.

April 9

The Direction of the James River Company have made requisitions on the holders of shares generally for the subscribed Loan under an act of the General Assembly at their last session of ten Dollars, payable the 15th day of May next, and a like sum on the 15th day of September ensuing. The State will have to pay the above on between 260 and 270 shares. It will greatly accommodate the Company to receive in advance on the first requisition about twelve hundred dollars, and for this sum I flatter myself permission will be granted the Treasurer to pay on account.

With respect, I am, &c.

April 10

Josiah Vick, William Hines, and Edmund Tyler, Gent'n, were recommended to the Executive as Sheriffs for the county of Southampton in July, 1794, the recommendation forwarded to Richmond, and a commission received by the Clerk, who handed it to Josiah Vick; but Josiah Vick failing to give bond within two months, a certificate was sent under the signature of the Deputy Clerk to the Governor of his refusal, by the mail from Smithfield. Another commission was sent by the Executive, directed to William Hines, Gent'n, bearing date Nov. 26th, 1796; but he also failing to give bond in two months, a second certificate was sent to the Executive by the mail from Smithfield (under the signature of the Deputy Clerk) of said failure. A third commission was received from

the Executive, bearing date March 16th, 1795, directed to Edmund Tyler, Gent'n, which was delivered him on the 14th day of May, 1795, and after expiration of two months, to wit: after the 14th day of July, 1795, being five days after Southampton court day, a third certificate was sent by the Deputy Clerk, that the said Edmund Tyler had failed to give bond according to Law, and on the following Court, to-wit: August, 1795, the present recommendation was made.

1796.
April 10

SAM'L KELLA, A. S. C.

April 10th, 1796.

Wm. PENNOCK TO THE GOVERNOR.

I yesterday received Letters from Paris and Havre, for Mr. Skipwith's
is the following Paragraph:

April 10,
Norfolk

"Inclosed you have the Bill of Lading of three large cases marked SV, containing the statue in white marble of General Washington, scuttled by an eminent artist of this place agreeable to the orders he received from Mr. Thomas Jefferson whilst our Minister in this Country. My next will cover my account of expenditures for having this statue transported from hence to Havre, the packing and shipping of it."

You have inclosed one of the Bills of Lading, which will show the freight and primage, and by this Post I have desired my friends Plumsted & McCall to pay all charges and ship the cases to Richmond, which I presume will be agreeable. Should it not, you will give those gentlemen such directions as you think proper.

I am, &c.

Shipped in good order, by V'e Homberg & Homberg Freres, in and upon the ship called the Planter, whereof is master, for this present voyage, Ayres Stockley, now in the Harbour of Havre-De-Grace, bound for Philadelphia, to say, for account and risk of the Governor and Council of the Town of Richmond, State of Virginia: SV. Three cases, one of which contains the Marble Pedister Statue of General Washington, and the two others contain the Marble Pedestal of said Statue, weighing together Thirty-six thousand pounds weight, going for Eighteen Tuns, being marked and numbered as in the margin, and to be delivered in the like good order at the aforesaid Port of Philadelphia (the danger of the seas only excepted) unto the order of Mr. William Pennock, of Norfolk, Virginia, who is to convey the same to said Governor and counsel of Richmond, or to his order or assigns, he or they paying freight for said Goods three pounds ten shillings sterling per tun of two thousand weight, and ten per cent. primage, with primage and average accustomed.

April 10

In witness whereof, the Master of the said Ship hath affirmed to five

1796.
April 10 Bills of Lading of this tenor and date, one of which being accomplished, the other four to stand void. Dated Havre-de-Grace, Jan'y 25th, 1796.
Contents unknown.

AYRES STOCKLY.

WM. BRECKENRIDGE AND EDW'D BRIEN TO THE GOVERNOR.

April 11 We are in want of some Land warrants to the amount of 150 or 200,000 acres, and have a Quantity of United States Stock, which we came here with an expectation of selling, but find it cannot be readily turned into money, there being no purchasers in this place. We are therefore induced to trouble the Executive with a request, that permission may be given the Treasurer to pass a Receipt, so as to enable us to obtain the warrants from the Register and take a deposit in stock, to secure the pointed payment of the money at the expiration of eighty or ninety days, which would be a great convenience to us, and we trust would not be any disadvantage to the Commonwealth. A compliance with this Request will be ever gratefully remembered by us.

Sir, with due respect &c.

AUDITOR'S OFFICE, 12th April, 1796.

April 11 Received of John Dawson, Esq'r, &c., &c., &c.—
The Treasurers Receipt for six thousand three hundred and ten dollars three cents.
On account of the pay and subsistence of the Militia, pay of the Scouts and incidental expenses attending the protection of the frontier of this State for the year 1795.

S. SHEPARD.

BENJ'N WOLFE TO THE GOVERNOR.

April 12 Complaining of injustice done him in conferring the command of the Company resigned by Capt. Perry on Sam. McCraw, who had never held any commission; he the said Wolfe, having held an ensigncy in the said Militia.

April 12 At a Court continued for Bath County the 13th day of April, 1796—Ordered, that John Lewis, Gent., be recommended to Robert Brooke, Esq'r, Governor of the Com'th, as a fit person for a Capt. of a Troop of Cavalry in this County, and Thos. Peebles Lieut. and James Vance Colonel.

Teste:

CHAS. CAMERON, Cl'k.

I am informed that the Troop is already received, and only the officers waiting for commissions.

1796.
April 12

C. C.

H'Y BOWZER TO THE GOVERNOR.

Application hath been made to me by a number of the young men of Montgomery county to endeavour to obtain orders for the raising of a Troop of cavalry in that county. My opinion is that a respectable Troop may be raised there. I therefore beg leave to recommend the following Gentlemen as officers for the same, to-wit: Andrew Lewis, Sen., as Captain, Gordon Cloyd as first Lieutenant, Samuel Crockett as second Lieutenant, and James Bryant as Cornet.

April 13,
Botetourt

I know these appointments would be satisfactory to the persons so appointed, and believe also to those who wish to engage in that service.

I have, &c.

Received of Sam'l Coleman fifty stand of arms belonging to the Commonwealth, which I hereby oblige myself, my heirs, Executors, or administrators to return in the order in which they are received, when called on so to do by the Executive, under the penalty of the value thereof.

April 13

Given under my hand this 13th day of April, 1796.

WARNER LEWIS.

Teste:

A. BLAIR.

JACOB COOKE TO THE GOVERNOR.

On the first day of the present month I made proposals to you to manufacture one thousand stand of arms and accoutrements at the rate of Sixteen Dollars each. I now take the liberty to propose to you to make them the second year one dollar cheaper, viz: Fifteen Dollars for each stand and accoutrements, and the third year I will engage to make them for Fourteen Dollars, each stand complete. I hope you'll favor me with your decision on this Business (by the Post) as soon as possible.

April 18,
New London

I remain, &c.

STEPHEN RAVENEL TO THE GOVERNOR.

By desire of his Excellency Arnoldus Vanderhorst, I herewith enclose to your Excellency two volumes of the Public Laws of South Carolina, which I hope you may receive safe.

April 18,
Charleston,

I have, &c.

J. AMBLER TO THE HONORABLE COUNCIL.

1796.
April 20,
Treasury

A great proportion of the money in the public Treasury at this time is in Bank Notes, which very few claimants can be prevailed on to receive in payment, so that we shall in a short time find it extremely difficult to satisfy the public creditors.

I would therefore submit to the consideration of the Honorable Board the propriety of requesting Gentlemen Merchants, and others in whom we can confide, going from time to time to Philadelphia, to take each three or four thousand dollars Bank Notes and exchange them for Gold. Such a sum in Gold, I apprehend, may be brought on their return without much inconvenience and scarce any risk. If something of this sort cannot be done, it will be absolutely necessary to send a person to Philadelphia on purpose, which will be attended with considerable expense as well as risk if the whole sum is to be brought at once.

I am, &c.

JOSEPH NEVILL TO THE GOVERNOR.

April 22,
Hardy

Asking the aid of the Governor to obtain compensation for depreciation in certain warrants previously held by him.

BATH COUNTY, April Court, 1796.

April 30

Ordered, that John Lewis, Gent'n, be recommended to Robert Brooke, Esq'r, Governor of Virginia, as a fit person for Captain of a Company of Light Horse in this county, and Thomas Peebles Lieutenant, and James Vance for Colonel.

A Copy—Teste:

CHAS. CAMERON, Cl'k.

JAMES MCFARLANE TO THE GOVERNOR.

May 3,
Abingdon

Compatible to your request, the within is the affidavit of Alexander Teubeuf and Henry Dickenson, Clerk of Russell.

You will please excuse me for not writing sooner. The reason why is, I wished to have taken the affidavit of Miss Drushane, who was present when the depredation was committed, but she not being well enough acquainted with Inglish, I could not have it taken.

Mr. Dickenson, forgetting to bring the affidavit to this place of Alexander Teubeuf that was filed in his office, I was under the necessity of

Taking a new one, as said Teubeuf being present. If that will not answer, I can forward the original one if required.

I made mention of what passed betwixt us respecting recommending agents to undertake the business to Colo. Andrew Cowan to nominate some fit person or persons. From the great desire he had to have them apprehend he will undertake it, provided I will go with him. If your Excellency thinks proper to appoint us, we will use every exertion to bring them to Justice. If not, we recommend the following, to-wit: Capt. Vathan Ellington, Captain Henry Bowen, who are gentlemen of Character and can be relied upon. We are willing to undertake the business on the following terms: We will take a minute of our Journal and proceedings and return you a duplicate of the same, and submit it to government what they suppose to be a generous compensation for our services.

1796.
May 3,
Abingdon

Sir, I am, &c.

Russell County to-wit:

This day came Alexander Teubeuf before me a Justice of said County, and made oath upon the holy Evangelists of Almighty God, deposeth and saith: that on the day of the election held for Representatives in said County, in the year one thousand seven hundred and ninety-five, that two men passing by the name of Brown and Barrow, came to the house of this deponent's father, and after being invited and partaking of dinner, and after staying some time and loitering about, taking the opportunity as the father of said deponent turned his face from them, one of the said men (which was Brown) gave him a stroke with a gun that he had in his hand, and the cock of the lock sunk appearingly through his scull which sunk him motionless, and in a short time expired—the foresaid not sufficing their fury, with an attempt they further proceeded to murder the whole family, and fell upon the said deponent with a club, and after receiving several wounds, made his escape out of the house, and Miss Drushane at the same time dangerously wounded.

A servant maid attempting from the alarm to cross the river got drowned, and also the house being robbed and the trunks broke open and plundered, and this deponent further saith not.

Sworn to before me this 3rd day of May, 1796.

JOHN TATE.

A. REID TO COL. JOHN STEELE.

You have no doubt heard of the unhappy fate of Lexington. The public buildings were burned with the rest, which has prevented the Court from doing any business in this month, and will in future without the interposition of the Executive by their proclamation, directing where

May 4,
Rockbridge

1796.
May 4,
Rockbridge

the Court shall be holden until the Court-House is repaired or rebuilt. A certificate for the information of the Executive is inclosed. Should it be consistent for the proclamation to issue for holding a court next month, it would not only enable the Court to have the public buildings completed before the cold weather, but would forward other business very much. Your attention to this business will be thankfully acknowledged by

Your, &c.

Rockbridge County, to wit:

I, Andrew Reid, Clerk of said County Court, do hereby certify that the Court-House of said county is destroyed by fire, and that it is the opinion of a number of Justices of the Peace for said county that the Court be holden in a house the property of Andrew Reid in Lexington, with his consent, by the Governor's proclamation, if the Executive think fit to direct the same, until the Court-House is repaired or rebuilt.

Teste:

A. REID, CL'K C't.

May 4th, 1796.

We approve the issuing a proclamation, to be entered on the proceedings of to-day.

ROBERT GOODE,
HARDIN BURNLEY.

GEORGE LANE TO THE GOVERNOR.

May 5,
Dumfries

Gives information of the escape from Goal at Dumfries of Charles Bruster, of Alexandria, on the 18th of August. Describes said Bruster and his clothing.

ISAAC SHELBY TO THE GOVERNOR.

May 6

I have been honored with your Excellency's letters of the 9th and 26th of January last.

By a letter addressed to you on the 15th day of February, I informed you of the steps which had been taken by the Legislature of this State respecting the boundary line between this State and the State of Virginia.

As I find by your letter that the Executive and Legislature of each of these States think alike on this subject, I have appointed William Murray and John Coburn, Esquires, as Commissioners on the part of this State, with full powers, in conjunction with the Commissioners to be appointed by the State of Virginia, to ascertain and establish the boundary line between the two States, in the manner directed by the Act and the Resolution of the Legislature of those States.

You will be pleased to direct the Virginia Commissioners to open a correspondence with those from this State on the subject, that they may be able to make the execution of the business convenient to both parties.

I shall with pleasure co-operate with you in any other measure that may be necessary to carry the intentions of the two States fully into effect.

The Resolution of the General Assembly of Virginia, stated in your letter of the 9th of January, evinces their regard to the other States in the Union, and is in my judgment founded in good policy. The intercourse between the States is such as may daily make it necessary not only for the private citizen but for the Executive of each State to be fully informed of the local laws and regulations of the sister States.

I shall with pleasure receive from you the present Virginia Code, and exchange with you annually the laws which may hereafter be enacted in the two States.

I now do myself the honor of transmitting to you all the Acts of the Legislature of this State which have been enacted into Laws since our separation from the State of Virginia. They, with the Laws of Virginia which existed prior to the separation, constitute our Code, as our Constitution declares: "All laws now in force in the State of Virginia, not inconsistent with this Constitution, which are of a general nature and not local to the eastern part of that State, shall be in force in this State until they shall be altered or repealed by the Legislature."

I have, &c.

ALEXANDER SMYTH TO THE GOVERNOR.

I am informed that the question respecting the boundary between Virginia and Kentucky has come before the Executive. As the enclosed papers may throw some light thereon, I transmit them to you under a hope that no step may be taken that may injure those who have decided for themselves that the Lands lie in Virginia, but that they may, if necessary, have the privilege of an unprejudiced investigation. I will only add that two of the most eminent Lawyers of our State have given their opinions in her favor, to-wit: Mr. Marshall and Mr. Wickham.

May 6

I am, &c.

1781. Dec. 5th.—Israel Christian, by virtue of a State warrant of 3,000 Acres, enters 1000 Acres of Land opposite to and below the mouth of Salt Lick run where it empties into Sandy River, the branch whereof Colo. Russell came up called Russell's Landing. This entry to be laid off along said Sandy River as the Law directs.

Israel Christian, by virtue of the above warrant, enters 1000 acres of

1796.
May 6

1796.
May 6

Land, including the next large Bottom about 5 miles down Sandy River from the above entry.

Israel Christian, by virtue of the above warrant mentioned, enters 1000 Acres of Land on Sandy River above the first entry made by s'd Christian on this warrant at a place where Doct'r Walker and Powell marked sundry trees and wrote their names on some of them.

1782, March 30th.—Israel Christian, by virtue of a State warrant, enters 2570½ Acres of Land on both sides of Sandy creek, 20 miles below Russell's Landing, on a wide Bottom at the mouth of a creek which empties into Sandy on the East side.

Copies—Teste:

GORDON CLOYD, S. M. C.

1786, March 17th.—James Anderson, by virtue of a military warrant for 2000 Acres, No. 1280, enters the same as follows:

1000 Acres joining and below Benjamin Furman's entry, at the mouth of Town Creek, and running up the creek for quantity.

1000 acres joining and below the above entry up both sides of the creek for quantity.

50 Acres on Military Warrant No. 339, ass'd to him by Richard Foster, joining and below the above entry and running up the Creek for quantity.

Copies—Teste:

GORDON CLOYD, S. M. C.

William Morris Andrew Donnally's enteries contin'd.

1786, March 17th.—1000 Acres joining and below the above entry, and running across the river, 600 acres hereof in Fayette County.

1,000 Acres joining and below above entry and running across the River 500 Acres hereof in Fayette County.

1,000 Acres joining and below Benjamin Furman's entry at the mouth of Town Creek on the East side of the West fork of Sandy River, and running across s'd River, 600 acres hereof in Fayette County.

1,000 Acres joining and below the above entry, and running across the river, 600 acres hereof in Fayette County.

1,000 Acres joining and below the above entry and running across the River, 501 acres hereof in Fayette County.

Copies—Teste:

GORDON CLOYD, S. M. C.

Nov. 16th, 1786.—John Preston by virtue of four Land Office Treasury Warrants, lodged and filed in this office, makes the following entry viz: 4,000 Acres of Land on both sides of the Louisa fork of Big Sandy Creek, to begin adjoining and above the last mentioned entry, and to extend up across and on both sides said fork, to join an entry of Walter Preston's at the mouth of Johns Creek, along the foot of the ridges which are on

each side of said fork, and some small distance up on each side the several branches which empty into said fork, on both sides thereof for quantity, to be laid off in one more, or as many surveys as will best suit the situation of the Land and according to Law.

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May 6

A copy—Teste:

H. SMITH, S. R. C.

1787—James Madison, by virtue of a Land Office Treasury Warrant, No. 22,027, dated 24th Dec. 1783, enters 4,000 Acres of Land lying on Louisa, above the mouth of Russell's fork a branch of Louisa, and extending up the said Louisa fork on both sides, and up the different Creeks emptying into said Louisa, so as to include all the good land; this entry to be laid off in as many surveys as may best suit the situation of the land.

A copy—Teste:

H. SMITH, S. R. C.

Aw. DUNSCOMB TO THE GOVERNOR.

I hope to stand excused in offering myself a candidate for the appointment occasioned by the resignation of Major Gaynes of the Artillery. It is a laudable ambition that leads to the application, and when my rank and services during the Revolution are considered, it may perhaps appear better justified.

May 9,
Richmond

I am, &c.

JOHN NAPIER TO THE GOVERNOR.

In regard to his right to sit as a justice in Fluvanna county. Was commissioned in the peace when Fluvanna was first formed from Albemarle, and, except during a short residence in the latter county, had continued a member of the Court.

May 10,
Fluvanna
County

THOS. NEWTON TO THE GOVERNOR.

From every account received from the West Indies, I conceive it is necessary to be on our guard against the importation of diseases from thence; and if left discretionary to the Superintendents of Quarantine, no damage or delay can happen to the owners of vessels, as on visitation, if the crew are healthy the vessel is permitted to come into port; if sickly, we are safe by letting her lie a few days; and I am of opinion

May 15,
Norfolk

1796.
May 15,
Norfolk

without a proclamation (which would answer good purposes and no evil can arise from it) I shall be unable to carry the law into execution. The pilots by a proclamation will be obliged under the penalty of losing their branch, if they do not give information. The Islands are in general sickly, especially where the troops are; the whole had best be included, if your Excellency and Council should be of opinion with me that it is necessary to have vessels examined. Many here are alarmed at the daily reports, from which cause I have thought it my duty to advise you thereof.

The Ship Concord (French Frigate) is arrived, and from information I have directed her to be examined.

I am, &c.

Aw. DUNSCOMB TO THE GOVERNOR.

May 19,
Richmond

I beg leave to inclose a return made by my first Serg't of sundry repairs and necessaries wanting to complete and preserve the two pieces of ordinance under my command, and do request you will be pleased to authorize me to have the same performed.

I would also request the authority of the Executive to contract for the building a rough plank shed to keep the pieces from the weather, the cost of all of which, I judge, will not exceed Eighty dollars.

If it is the wish of the Executive, I will procure an estimate of the probable cost of the shed; that of the repairs, &c., will not exceed twenty dollars.

I am, &c.

RICHMOND, 2nd of April, 1796.

Repairs wanting to the ordinance:

To 2 new Sponges complete, 2 new worm handles, 2 new tillers, mending the tiller stays to each piece. mending 2 wheel bands, Painting the carriage compleat, 2 new Tompiers compleat, 2 new aprons compleat, Repairing the amonition boxes.

THOS. POINTER,
1st Serg't Co. A.

V. PEYTON TO THE GOVERNOR.

May 22,
Stafford

Inclosed is a recommendation from the Court of our County for magistrates, which I have taken the liberty to forward to you, requesting that you will be so good as to inclose me the commission p'r post, directed to Dumfries' Office, in time for our June quarterly sessions, which commences the 13th of the month.

Without an addition to our list of magistrates we shall have perhaps no court, our number being reduced to nine or ten by deaths and removals, and of those several scarcely ever attend. This circumstance, together with my being at a loss at the present time for a safe and direct conveyance to Richmond, will, I trust, be a sufficient apology for my troubling you with this business.

1796.
May 22,
Stafford

I am, &c.

[Enclosure not found.—ED.]

Ro. QUARLES TO THE GOVERNOR.

In conformity to the directions of the Executive, I have proceeded to let the contractor's office for the supply of Rations at the State Arsenal from the first of June until the first of November next.

May 27,
State
Arsenal

The alarming scarcity of provisions in this quarter, has occasioned the price of Rations to be much greater than was to have been expected. You will observe from the inclosed Bond that we are obliged to give eighteen cents per Ration. I flatter myself that at the expiration of this Term we may calculate on a considerable diminution in the price of a Ration. William Weaver, my former contractor, being the lowest bidder, has again taken this business.

I have, &c.

HENRY BANKS TO THE GOVERNOR.

It is in my power to appropriate a considerable sum in Treasury Land Warrants, and as I expect to have a final decree for a considerable sum at the next Court of Appeals, I am now inclined to receive from the public a great proportion of that demand in Land Warrants, and I will give Bond with security to the public, in case I do not prevail in that demand, to pay the amount of the warrants. I presume the advantage which will be derived to the public by this, may induce the Board to take it into consideration. The quantity which I want is at least 500,000 acres.

May 28,
Richmond

I am, sir, your, &c.

THOS. NEWTON TO THE GOVERNOR.

I received the proclamation and have promulgated it. The crew of the Concord proved remarkably healthy. I have not yet purchased a

May 29

1796.
May 29 place for the reception of goods and accommodation of persons superintending Quarantine; having had a smart fit of the gout has been the cause.

If it should be necessary, I will employ a boat, but at present there is no need of one. I shall caution the pilots, who, being now paid for it, will give information.

I am, &c.

WILLIAM WEAVER TO THE GOVERNOR.

May 30 Soliciting an advance of two hundred dollars to enable him to fulfil his contract for supplying Rations to employees at Point of Fork.

C. MYERS TO THE GOVERNOR.

May 31,
Great Falls
of the
Potomac I am here the Engineer for the Potomac Company. A variety of characters are employed, who of course are not of the best description. Riots and quarrels are now become so frequent that the exercise of legal power has become absolutely necessary—not only to cheque, but to secure offenders of the public peace.

For these considerations, I respectfully offer my services as a magistrate. Should you, sir, please to appoint me, I shall uniformly pursue that conduct that makes the appointment respectable.

I have no interest in or motive for this application, but a wish to have the power given by law to preserve the peace of this place and neighborhood.

I have, &c.

May 31 At a General Assembly of the State of Connecticut, holden at Hartford on the second Thursday of May, Anno Dom. 1796:

Resolved by the Assembly, That his Excellency the Governor be requested to comply with the Request of the Governor of Virginia, to Exchange the Laws of this State for those of Virginia, and to continue the Exchange from time to time, as the Governor of this State shall judge proper.

A true copy of Record.

SAMUEL WILLEY, Sec'y.

WILLIAM HUSTON TO THE GOVERNOR.

The petition of William Huston, humbly sheweth: That while your petitioner had the charge of the Public Goal in the Washington district, there was delivered to his custody and care several prisoners, charged of Capital offences, namely: Pane, Roberts and Best of being accessory to the murder and robbery of Mr. Tubuff, and John Boyd of horse stealing; which persons on the 30th of July last, broke Goal and made their escape. Your petitioner being impressed with the necessity of making an immediate and speedy pursuit, advertised a reward of twenty dollars for the retaking and delivering each of the prisoners at the Public Goal. In consequence of which, the above named prisoners were taken and safely kept until they were brought to trial, and the rewards paid agreeable to advertisement, as will appear by the receipts inclosed.

1796.
May 31

Your petitioner would have stated the matter much sooner to the board, but from a mistaken opinion that the District Judge had cognizance and jurisdiction, and would give relief and redress; but finding it otherwise, your petitioner prays that your honorable body would direct the money so advanced to be reimbursed, or give such relief as you in your wisdom may direct, and your petitioner as in duty bound shall pay.

HENRY BOWYER TO THE GOVERNOR.

A considerable number of men have been engaged for the Troop of Cavalry ordered to be raised in this county, but I apprehend it will be impossible for them to procure swords and pistols, such articles not being to be had in this Country. Perhaps swords and pistols might be obtained from the public magazines upon bond and security given for the safe keeping and return of the arms received; if so, Captain Beale (the gentleman recommended from this County), will willingly do it. I imagine forty swords and as many pistols, with what the men will be able to furnish themselves, will be sufficient. The officers here wish very much to be informed upon this subject.

June 6,
Botetourt

I have, &c.

RICHMOND, June 8th, 1796.

June 6

State of Virginia,

To Wm. Hodgson.

Erecting a statue of the President, repairing, laying the floor,

&c., - - - - - £30.0.0

Rece'd in part, £1.10.0.

1796.
June 6

STATE OF NEW HAMPSHIRE,
In Senate, June 10th, 1796.

Resolved, That any alteration in established Forms of Government ought never to be attempted but for the most important reasons.

That our present state of peace and general prosperity render it unnecessary at this time to concur with the Legislature of Virginia in their proposed amendments of the Federal Constitution.

Sent down for concurrence:

EBEN'R SMITH,
President of the Senate.

In the House of Representatives the same day, Read and concurred.

RUSSELL FREEMAN, Speaker.

Approved June 13th, 1796.

J. T. GILMAN, Governor.

A true copy.

Attest:

JOSEPH PEARSON, S'cty.

Gloucester County to-wit:

June 14

Whereas at a Court of Oyer and Terminer, held in the County aforesaid, at the Court house, the 10th day of June, 1796, for the trial of Abram a negro man, slave belonging to the Estate of John Avery, dec'd, for burglary; the said negro man, was by the said Court, found guilty and condemned to die. We of the said Court taking into consideration the age and character of the s'd negro, and that it is the first criminal offence he has been charged with, do recommend him the s'd Abram, to the Governor and Council as a proper object of mercy.

Given under our hands this 14th day of June, 1796.

PHILIP TABB,
WILLIAM HALL,
WM. BOOTH,
MORGAN TOMKIES.

JOHN PIERCE TO THE GOVERNOR.

June 20,
James City
County

At the last Court held for this county I was one of the attending members, and was opposed to the nomination then made respecting the office of Sheriff, as by the law, in my opinion, the Court were confined to nominate only three persons, but I was not opposed to the alteration of the system of nomination heretofore pursued, having always considered that system totally repugnant to every principle of Justice. The last three Gentlemen which stands nominated by the last Court were Magistrates

before the Revolution, and the whole of them have (or might of right) enjoyed the benefit of the Sheriff's office. Two of them, to my knowledge, have done so, and afterwards returned to their magisterial office, several years before any of the other members now in office were in commission, consequently were justly entitled to that preferment again before the Junior Magistrates. In the year 1786, if my memory does not deceive me, a General Commission for Justices of this county was issued, comprehending several who were in office before the Revolution as well as those nominated under the present form of government. Under that Commission, the presiding member of right might have claimed the office of Sheriff, and after him every other member in rotation. However, the nominations were continued on the old system—that is, to nominate such as had never held the office of Sheriff—and Mr. Wilkinson is the only person now living that is comprehended in the Commission above mentioned, but has or might have enjoyed the benefit of the office of Sheriff.

This communication I have considered incumbent on me to make to your Excellency, having myself, whilst I was one of the Junior Justices, been preferred to the office of Sheriff, and have, &c.

1796.
June 20,
James City
County

Ro. QUARLES TO THE GOVERNOR.

Inclosed you will receive the usual Quarterly Return of Arms, &c., from this place. Among other things contained therein, you will observe that the U. States have made no return of Arms, &c., since my last report; and as there is still a considerable number of arms and accoutrements, and the whole of the ammunition and other military stores which were lent by this State during the late Insurrection, unaccounted for, I have thought it my duty to call the attention of the honorable the Executive to this subject, presuming they will think it necessary to take some steps for the attainment of this property.

From a view of the account current of the expenditures at this Post, it will be seen that the Superintendent is necessarily obliged to advance a considerable sum of his own money from quarter to quarter, in order to carry on the Publick Business. To remove this inconvenience, I have to request the honorable Board to make such quarterly advances on this account as to them may appear reasonable. The old Cartouch Boxes, formerly reported by me to be capable of being repaired and rendered fit for use, remaining still in that unrepaired state, and the Swords being without Scabbards or Belts, I wish the advice of the honorable Board respecting the mode I am to pursue in order to have these articles placed in a state of repair.

June 30,
State
Arsenal

I have, &c.

A Quarterly Return of Arms and Military Stores at the State Arsenal, on the 30th of June, 1796.

1796.
June 30 1 16 Inch Mortar, 1 6 pounder Brass, 1 4 pounder Ditto, 1 old Iron piece, 5289 Muskets in complete order, 3057 Muskets in repair with Ruff Bayonets, 248 old Muskets out of order, 372 new stocked Muskets wanting Bayonets and R. rods, 400 Pickers and Brushes, 2939 Musket worms, 132 Screw Drivers, 805 Brass hilted swords, 293 Iron Ditto, 7 barrels of Gun Powder, 40 Piggs of Lead, 181 Case Shot from 6 to 4 pounds, 263 Round Ditto, 30 Rheams of Cart'g Paper, 436 Cannon Tubes, 18 Barrels of Flints, 1650 pounds of Ball and Buck Shot, * 81 Muskets Stocked, * 415 Muskets fitted with new Bayonets and R. rods, * 360 Bayonets ground, * 57 Muskets made complete with new Bayonets and R. Rods ground.

*Quarters Work.

June 30 On Motion of William McKinley Lieutenant of a Company of Cavalry, Commanded by Capt. Robert McCluer, (in the 10th Brigade) to the Court Martial now sitting, to determine whether the said Company of Cavalry, was subject under the Law to be compelled to attend the Battalion and Regimental musters. The Court after Mature deliberations are of opinion that all the Cavalry residing within the limits of any Battalion, shall attend their Respective Battalion and Regimental musters, which said opinion was objected to, it is therefore to the Executive of the Commonwealth of Virginia, for their advice on said occasion.

A true copy—Signed,

JAS. GRIFFITH, Cl'k
4th Reg't, 10th Brigade.

To the Governor.

THOS. JONES TO THE GOVERNOR.

July 1,
Hampton Resigns his commission as Notary Public for this District.

JOHN EYRE TO THE GOVERNOR.

July 7 It seems to be the intention of the Law that the Light Infantry companies of this State should not only be better Trained than any other troops, but that they should be better provided with arms, &c. I presume, therefore, that in the distribution of Arms to be made by the Executive those companies will be provided in preference to others. The

Company which I have the honor to command is entirely unfurnished, and is likely to continue so unless supplied by the public.

1796.
July 7

I have to beg you will make application to the Executive for as many arms as you may think proper (say 50 Stand) for its use.

I presume that if our exposed situation is recollect, we shall be among the first to be supplied. It is unnecessary to remind you, Sir, that we are accessible on three sides by water, and have among us perhaps a larger portion of Slaves than any other part of this State has.

I am, &c.

W.M. HETH TO THE GOVERNOR.

I am just informed that most of the crew of a Ship from Norfolk bound to this Port are infected with the small-pox. She is now supposed to be about Jordon's Point. Unless she should be prevented coming farther by the inhabitants of City Point and the neighborhood, she will probably get up there this afternoon.

July 7,
Bermuda
Hundreds

Since the death of Christo. Roane, there has not to my knowledge been a Superintendent of Quarantine for this Port appointed; so that until such an appointment shall be made, I don't see how the execution of the Quarantine and Health Laws of the State can receive the aid of the Revenue officers agreeably to the act of Congress *Relative to Quarantine*, passed the 27th May last. For by this act and the instructions from the Treasury Department of the United States accompanying it, "I am to co-operate with the State authorities in giving full effect to any regulations established by State Laws applying to the objects mentioned in the *act relative to Quarantine*."

How far I should be justifiable under this act, and these instructions, to exercise in the present case the powers vested in a Superintendent of Quarantine under the Laws of Virginia, especially under the 2nd and 3rd Sections of the Act passed the 19th of December last, respecting Quarantine, I will not pretend to say, but feeling an extreme unwillingness to exercise any authority not clearly given to me by Law, I shall wait the decision of the Executive thereon.

It appears to me proper that this vessel should either be compelled to return to Norfolk or its vicinity, or prevented coming so far up the river as to have communication with the vessels of this Port. Yet I do not find any clause in the aforesaid Acts, or in the Acts respecting the Small-pox, which would warrant the Superintendent of Quarantine, if there were one here, in giving such orders.

With permission, I will now take the liberty to recommend Mr. John Robertson as the most proper person at this Port to fill the office aforesaid.

1796.
July 7,
Bermuda
Hundreds

The office of Notary Public at this Port having been vacant for many months, which occasions much inconvenience to the masters of vessels, and there being no person who will accept, qualified to fill it but officers of the customs, I would beg leave to ask the appointment for Harrison Walker, an apprentice in my office. His brother, who did the business for some time on behalf of Mr. Ferguson, is now surveyor of the Port and my principal clerk. He will see that the business shall be properly done. In short, it will be as carefully attended to as if it formed part of the duties of this office.

I am, &c.

Should an immediate answer to this be deemed necessary, the propriety of sending an express therewith will doubtless occur, as a letter by Post will not reach this until Saturday, 4 o'clock.

July 12 At a Court of Directors held at the Hospital, in Williamsburg, the 12th day of July, 1796:

Ordered by Directors of Hospital at Williamsburg, that a warrant be obtained from the Auditor of Public Accounts for two hundred pounds for use of the Hospital.

JAS. SINGLETON TO THE GOVERNOR.

July 12,
Frederick
County

Having lately received under your authority a commission for enlisting and commanding a Company of Artillery, and as a late Act of the Assembly authorizing this establishment vests in the Executive of the State a power of furnishing the several Companies with Guns, I have sought an early opportunity of requesting you to cause two pieces of Artillery, together with such appendages as may be necessary for instructing the Company in the ordinary or practical parts of duty, to be sent to Winchester; to fix a responsibility for which, I will pass my receipt.

I have, &c.

THOS. MASON TO THE GOVERNOR.

July 17,
Colchester

The election of the Directors of the Potomac Company comes on, I think, in Alexandria the first Monday of next month. My duty, as well as my interest, leads me to inform you that in my opinion the Direction of that Company has been very unprofitably managed, and I do think that an alteration of the Directors ought to be made at the ensuing election.

The votes of the States have always had great influence, and I mean by this Letter to solicit the proxies of this. Should I be entrusted with them, I flatter myself, yourself and the Council have confided enough in me to believe that my best endeavors will be used to obtain the most fit men for that important office.

I should endeavour to select men not only Honest, Industrious, and Attentive, but men, too, of understanding and such as were interested in the progress of that work, for I think it is the interest of some of those men in the Directorship to retard it. A majority of the Directors at present reside in Alexandria, and nothing can be more clear than that the competition of the navigation will tend to reduce the commerce of that Spot, for the Boats that bring the produce cannot navigate the river so low down. The Alexandrians have obtained an act of Assembly for a Turnpike road from the Great Falls, which is a proof that they wish the navigation to stop there, to which place it is now complete.

1796.
July 17,
Colchester

I am, &c.

Joseph B. Downman, Wm. Chowning, and Martin Shearman recommended as fit persons for appointment as Sheriff of Lancaster county. July 17

At a Court held for Richmond County the 4th day of July, 1796: July 22
William Peachey, Thomas Yerby, and Geo. Lee Turberville, Gentlemen, are recommended to his Excellency, the Governor of this State, as fit and proper persons, one of whom to be commissioned to execute the office of Sheriff for the County for the ensuing year.

Copy—Teste:

B. McCARTY, Cl'k.

Richmond County, to-wit:

I, Bartho. McCarty, Clerk of the Court of the said County, do hereby certify that no person hath entered into Bond with security as the Law directs, to Execute the office of Sheriff since the above Recommendation of Sheriffs in the County court of Richmond.

Given under my hand this 19th day of September, 1796.

B. McCARTY, Cl'k.

At a Court held for Richmond County the 5th day of July, 1790: July 22
Geo. Lee Turbeville, Gent., having produced in Court a license to practice as an Attorney-at-Law, and having taken the necessary oaths, is permitted to practice in this Court.

Copy—Teste:

B. McCARTY, Cl'k.

1796.
July 22

At a Court held for Richmond County the 1st day of April, 1793:
Geo. Lee Turbeville, Gentleman, having declined the practice of the
Law in this Court, took his seat on the Bench as a Justice of the peace.

Copy—Teste:

B. McCARTHY, Cl'k.

T. DAWSON TO THE GOVERNOR.

July 22,
New York

Since I left Virginia I have made every possible inquiry respecting the
arms wanted by the State. From the Sec'ty of War I am inclined to
think, that they may be procured or contracted for, in the New England
States.

In two or three days I shall set out for Boston, where I shall be happy
to receive any further instructions from your Excellency, and you may
be assured I shall exert myself to comply with the directions of the
Executive and the rest of the Legislature.

I have, &c.

JOSEPH MARTEN TO THE GOVERNOR.

July 26,
Henry Co.

I yesterday received a letter from your Excellency, bearing date ye 2nd
Inst., inclosing a Commission with directions to open a Correspondence
with the Commissioners on the part of Kentucky; also with Arch'd Stuart,
Esq'r, on the subject of Extending the Boundary Line between the two
States. In obedience thereto, have this day dispatched a letter to Ken-
tucky and one to Mr. Stuart on the subject.

As soon as I receive answers shall write your Excellency and if neces-
sary draw for some cash in advance.

I stand prepared to proceed on my post at a moment's warning.

I am, &c.

JAMES MONROE TO THE GOVERNOR.

July 29,
Paris

I hope the statue of the President arrived safe and without injury, at
Richmond, and in which I confide, as it was packed up with great care
here, and forwarded from Havre under the auspices of a prudent captain
of one of our best vessels.

I herewith enclose you a note of the am't of what I paid to Mr.
Houdon, the artist, for the charges annexed, and which he requested
immediately. This item will be adjusted with Mr. Jones when he desires

it. Mr. Houdon has also another demand of about the like sum for depreciation, and which I promised to communicate to you, and pay him in case you permitted. I believe from his statement, that he actually lost that amount, and in that mode, but at the same time I also believe that the State of Virginia did not profit thereby, as likewise that the only claim we have, if any, is upon the candor and liberality of the State. I will be happy to fulfil your wishes, whatever they may be in this respect.

Permit me to renew to you my assurance of the pleasure with which I shall receive any commands from the Executive to perform here for the State whilst I remain, and of the great respect and esteem with which I am, &c.

1796.
July 29,
Paris

W. WILSON TO THE GOVERNOR.

I am sorry to inform your Excellency that a resignation almost generally, has taken place with the officers of the 7th Regiment. I have held them together as long as I had the power of doing it, but the Reg't has been in so deranged a condition for six months past, that emulation and soldierly pride has been changed to disgust, and resignations have been the result.

The confusion has arisen from the want of commissions to fill up vacancies, many companies not having more than one commission officer in it, and others not one. In order to fill up these vacancies, the Court about nine months ago entered up an order of recommendations and ordered the Clerk to transmit it to the Executive. The other day I received from Mr. Wood a number of Comm'ns, among which there were but few of them signed. I tendered those that were executed, but being withheld so long, they took it in their heads that they were not the free choice of the Executive and refused.

July 30,
Portsmouth

I have, &c.

At a Court of Oyer and Terminer held in Frederick county the 3rd day of August, 1796, for the trial of William, a negro boy, slave, the property of Rawleigh Colston, (aged between thirteen and fourteen years,) on suspicion of arson, present: Charles Myner Thurston, John Smith, Edward McGuire, James Garmel Dowdall, John Shearman Woodcock, Cornelius Baldwin, and George Flowerden Norton, Gent. Justices.

August 3,
Frederick
County

Elisha Boyd, Gent., is assigned as the Prisoner's counsel.

JOHN PENDLETON TO THE GOVERNOR.

1796.
August 5,
Auditor's
Office

I beg leave to apprise the Executive that on the last day of this month I shall resign the office of Auditor of Public Accounts. I intended to have resigned at the expiration of the last quarter, but the chief clerk, Mr. Sam'l Shepard, being desirous of visiting his friends in Boston, I deferred it merely to accommodate him. He will hand this Letter to your Excellency, and if he entertains any expectations or apprehensions in consequence of my resignation, of which he has not yet spoken to me, he will communicate them himself. If it should be necessary for me to speak of his merit to the Board, I will pay the tribute with pleasure.

I have, &c.

JOHN STEWART TO THE GOVERNOR.

August 9,
Richmond

The meeting of the General Assembly fast approaching, and the great difficulty of procuring parchment for enrolling Bills at the particular period it shall be required, has influenced me to purchase of Messrs. Prichard & Davidson seven dozen skins, amounting, agreeable to the enclosed Bill, to £14.15.0. This amount, I venture to believe, the Executive will have no hesitation at directing payment of out of the public Treasury.

I have, &c.

August 9 At a quarterly Court continued and held for King & Queen County, at the Courthouse the 10th of August, 1796:

The Commonwealth of Virginia, against Chaney Gatewood, Def't, upon a presentment of the Grand Jury for not voting at the last Election.

This day came Benjamin Dabney, Deputy-Attorney for the Commonwealth in this County, and the Defendant having been duly summoned and now solemnly called, came not; on the motion of the said Deputy-Attorney, It is considered by the Court that the Defendant be fined the sum of one pound, nine shillings and two pence half penny, being one-fourth of his taxes and levies, and that the Defendant pay the costs of this prosecution.

Teste:

Ro. POLLARD, C. C.

PETITION OF CHANEY GATEWOOD TO THE GOVERNOR.

August 9 The petition of Chaney Gatewood, praying the remission of a fine imposed on him.

THOS. NEWTON TO THE GOVERNOR.

After all my attempts to purchase the place Gen'l Wood and myself looked at, I have been frustrated by the exorbitant demand of the proprietor. He has risen from £400 to £600, and it will take at least £200 more to put houses in order for the reception of goods. I have therefore declined the purchase, and made proposals to the owner of a detached point of land at the mouth of Tanner's Creek, which will answer as well and better. He has promised me his terms, which, if moderate for sufficient buildings, and you approve of it, I will close with him, of which I will inform your Exc'y.

We have been and are very healthy as yet, having lost only one man with the least appearance of malignant fever this year. A vessel is arrived from Cape N. Mole, who lost a man at sea, from every appearance with the disease of that place, as the Captain says he threw all his bedding and cloaths overboard. I have detained her below; the rest of the crew are well, and the man has been dead 18 or 20 days. She has hides on board, which I conceive are dangerous, and have directed them to be well aired; but I think coming from places highly infected they ought to be prohibited.

1796.
August 13,
Norfolk

I am, &c.

W. WILSON TO JAMES WOOD, LT.-GOVERNOR.

Your favor of the 4th ultimo I had the honor of receiving on the 8th, and beg leave to observe that I made it my business to call upon those Gentlemen who had resigned, as well as those who had declined their commissions in the 7th Regiment, and explained to them the cause of their not receiving the commissions in due time—viz., neglect of duty in the clerk of our Court, of which they are perfectly sensible and satisfied.

But as some of them are about to remove from the county, a new arrangement will be necessary, for which purpose I will call a meeting of those in commission and select those most fit and necessary to complete the 7th Regiment, and lay before our next Court for its nomination to the Executive, and will warn the Clerk against a second breach of his duty. At the pressing solicitation again of Capt. Bernard Maguien, I am constrained to repeat my wish (if there is no impropriety in it) that the Executive will be pleased to turn him, his officers (Nathaniel Cooper and John Brooks), and his Company into a corps of artillery. He is an excellent officer, and, I am informed, has served long in a French corps of artillery.

August 14,
Portsmouth

I have, &c.

1796.
August 15

Virginia to-wit:

To all persons to whom these presents shall come:

I, John Nivison, Notary Public for the District of Norfolk, by lawful authority, duly admitted and qualified, do hereby certify and make known that Capt George G. Hussey, late master and owner of the Ship Eliza, personally appeared before me, and being duly sworn on the Holy Evangelists of Almighty God, deposed and said, that he is a native of the State of Massachusetts, and a citizen of the United States of America; that he took in a cargo of Salt at the Isle of May, with which he was bound for Norfolk; that the said ship and cargo being bona-fide his property. That on the 16th of August when about three miles distant from Cape Henry, several guns were fired at him by the British Frigate Thetis. He shortened sail. The Frigate came up. He was hailed when it was said on board the Frigate that a boat should be sent along side the Eliza, that a boat was accordingly sent, when the Deponent was desired to go to the Frigate with his papers. He did so; after Capt. Cochran had examined the papers, he observed that he found the Deponent had bought her in Holland; that she had been a prize ship illegally taken, and that as Great Britain did not acknowledge the French Republic, he should consider her a prize to him, that he accordingly ordered the crew from the Eliza, to be brought to the Frigate, and sent a crew with a prize master on board the Eliza, permitting the Deponent to remain on board; that the said Frigate Thetis and the ship Eliza, are now in Hampton Roads. He having been thus deprived of his property.

GEORGE G. HUSSEY.

Wherefore I, the said Notary, at the request of the said deponent, did and do hereby solemnly protest against the said Captain Cochran, commander of the British Frigate the Thetis, his officers, the crew, and all others concerned in the capture of the said Ship Eliza, and also against those or the Government from which he, the said Capt. Cochran, derives his authority, for all the losses, costs, damages, and expenses, suffered or to be suffered by the said George G. Hussey, owner of the Ship Eliza and her cargo, by reason of the premises.

In testimony whereof I have hereunto set my hand and seal of office, this 18th day of August, 1796.

[Seal.]

JOHN NIVISON, Not'y Pub.

WILLIAM LINDSAY TO THE GOVERNOR.

August 20,
Norfolk

Enclosed is the deposition of George G. Hussey, owner and master of the Ship Eliza, which was captured near Cape Henry by the British

Frigate *Thetis*, Cochran commander, and brought into Hampton Roads, where they now are. 1796.
August 20,
Norfolk

I have enclosed a copy of the deposition to Mr. Nelson, the attorney.

I am, &c.

[Deposition not found.—ED.]

CUMBERLAND, *August Court, 1796 (22nd)*.

Ordered, that Dudley Street be recommended to the Executive as a proper and fit person to execute the office of First Inspector of Tobacco at Woodson's Warehouse in the Town of Cartersville, William Bagby as 2nd, James Austin as 3rd, and James Spears as 4th. August 20

A copy—Teste:

TSCH'R WOODSON, D. Cl'k.

WILLIAM TATE TO JAMES WOOD, LIEUTENANT-GOVERNOR.

I have been extremely anxious to hear from you for some time, and to know if Mr. Thomas Wilson has made a return of the papers and vouchers with which he was entrusted, respecting the money due to the volunteer militia of the Monongalia country. August 25,
Washington
County

I am very solicitous that the business should be closed as soon as possible.

The money which the Executive sent by me for the Scouts who were in service last year is delivered to them some time past; but the Scouts who were ordered out for the protection of Lee county, have not as yet had any allowance for their services, through their own neglect in not having pay abstracts forwarded to the Executive. Notwithstanding their claim comes late, I make no doubt but that it will appear just that they should now have a compensation for their services as specified in the abstract; and I think the bearer William King would be a safe and convenient opportunity to transmit the money to them, or such other person as you may think proper to entrust with the distribution of the same.

At the last June term in the county of Washington, Mr. Sam'l Edmiston was by the Court recommended to the Governor for our next Sheriff, as being the next Senior Justice, agreeable to the usage and custom which has prevailed time out of mind; but the office is claimed by Col. Campbell, who was a Sheriff in the county of Washington since it became a county, and now thinks he is again entitled to the appointment from his acting again as a Justice of the Peace after his Sheriffalty had expired, before Mr. Edmiston was qualified as a Justice of the Peace.

1796.
August 25,
Washington
County

The matter is submitted to the Board, having no doubt but that they will do justice betwixt the gentlemen contending. However, if Col. Campbell's principle be right, I have always understood the prevailing custom in a wrong manner. Excuse these imperfect hints, and believe me to be, dear sir, with much personal respect and esteem,

Your, &c.

THOS. NEWTON TO THE GOVERNOR.

August 28,
Norfolk

The accounts of a malignant fever from Charleston are very alarming at this time here. I have directed the look-out boat to examine the vessels coming from thence, and shall be glad of instructions from your Excellency how to proceed in case of any arriving with sickness. The law contemplating only that the vessel should be detained and information sent to the Executive, which would be attended with expenses and delays, to prevent which, if a discretionary power was lodged (as in the case of the W. Indies) with the Sup't of Quarantine, it would answer all purposes. Mr. Clemison, a merchant of this place, died there with the disease, which from accounts rages to a great degree. I should be glad to hear from your Excellency respecting the purchase of a place and building houses for the accommodation of the officers attending Quarantine. The money received from Major Lindsay lies ready, but the exorbitant prices demanded for building, has prevented me from using it or taking the land, and were I to venture an opinion on it, I think it would be best to take at least fifty acres, as at some future day it may be necessary to erect hospitals for reception of the sick on it, and a burying ground is exceedingly wanted, as a trespass is committed in every instance of interring the dead from the vessels. We have only had occasion for a few vessels to be detained as yet, and only two persons have died, which I had interred on my own land.

We are remarkably healthy here, and the crews of the vessels which have arrived have also been healthy.

The people employed in the look-out boat have called for wages, but I did not choose to pay them out of the money received for the purchase of land, &c., without your approbation. Be pleased to say whether I shall make use of any of that, or draw for their pay.

I am, &c.

ARCH'D STUART TO THE GOVERNOR.

No date,
probably
August,
Staunton

When I returned from ye Sweet Springs about the last of July. I received your Excellency's favor, with the inclosures, on the subject of

the Boundary Line betwixt Virginia and Kentucky. I have lost no time in dispatching a messenger to Kentucky by the way of Gen'l Martin to fix upon the time and place of meeting with the Commissioners of that State, which I proposed should be on the first of October next as near the junction of the three States as accommodations would admit and proceed westwardly. A suitable person for this purpose could not be had for less than two dollars per day, he finding himself and horse. I am informed ready money will be required for everything we stand in need of in the country where we are going. If my colleague has made no draft for these expenses, the Executive will please deposit with Col. R't Gamble a sum which they may judge necessary, and I can receive ye money from his partner here. I can name no sum, as I am a stranger to disbursements which may be necessary.

1796.
No date,
probably
August,
Staunton

I am, &c.

J. DAWSON TO THE GOVERNOR.

In compliance with the wishes of the Executive I have made inquiries, with that anxiety which the importance of the subject merits, respecting the arms wanted by the State, and have good reason to conclude that the idea of procuring them on the Continent must be relinquished, and that we must look to Europe for the supply.

Sept. 11,
Boston

The high price of labour and of everything here with us, and wherever I have been, makes it impossible to get them on the terms contemplated by the Legislature.

James Swann, Esq', of this place, who has for some time directed the fiscal arrangements of the French Republic within the United States much to their satisfaction, is willing to enter into a contract for the delivery of them in one and two years, provided it can be extended to the whole quantity contemplated by the law, and the price anyways in proportion to that in Europe and to the difficulty and risque of transportation.

This sum I am persuaded will be much below any at which they have been offered or can be procured on the Continent, and I know no person so well suited to transact this business as Mr. Swann; his responsibility is ample and undoubted, and his knowledge of and advantages in Europe will insure punctuality and good arms. I therefore recommend to your Excellency to open an immediate correspondence with him on the subject, and as I am just about to return to Virginia, I shall expect to meet your letter in answer to this in Philadelphia. Shall with pleasure comply with the wishes of the Board, and shall think myself happy on being in the least instrumental in procuring for our citizens what I deem so essential for all who know how to value and defend their rights.

With much, &c.,

J. DAWSON TO MR. SWAN.

1796.
Sept. 11,
Boston

On what terms and when can you furnish the State of Virginia with four thousand musquets of the following description, which quantity will be wanted annually and the payments for them pointed?

The length of the barrel three feet 8 inches, and to carry a ball of the size of 18 to the pound.

The bayonet one foot 5 inches in the blade.

A double bridle-lock of the best construction—neat brass mounting and steel ramrod, to be stocked in black walnut.

The cartouch box to be suitable to the musquet and to contain 24 cartridges, with neat, black leather belts mounted with brass buckles, and a brush-wiper for the pan, and picker for the touch-hole.

I am, &c.

J. DAWSON TO THE GOVERNOR..

Sept. 12,
Boston

After writing my letter of this date to your Excellency I thought it proper to send a note to Mr. Swan, a copy of which, with his answer, I do myself the honour now to enclose.

These will explain the state of the business clearly, and should the proposition meet with the approbation of the board, the contract may at once be formed at Philadelphia, where a person is empowered to act on behalf of Mr. Swan, or a correspondence may be opened, or my return, which will be soon, may be waited for.

I have, &c.

BOSTON, 12th Sept., 1796.

HON. JOHN DAWSON, Esq.:

Sept. 12

Sir—I received your propositions for supplying the State of Virginia with 4000 stand of arms, Bayonet Belt, and Cartridge Box for the space of five years, making in the whole 20,000. In answer, I will undertake to supply the whole within two years, deliverable 10,000 each year, say in 1797 and 1798, at twelve dollars each, payable on delivery at Richmond, or at eleven Dollars and a half, if half the price be advanced, on my giving undoubted security at Richmond. The musket to be compleat as you describe it—say the barrel to be three feet eight inches long, to receive a ball of eighteen to the pound. The Bayonet to be one foot five inches in the blade, a double bridle lock of the best construction, neat brass mountings, and a steel ram-rod to be stocked in black walnut. The cartridge-box to contain 24 cartridges and every way suitable to the musket, with neat, black leather belts mounted with brass buckles, and a brush-wiper for the pan and picker for the touch-hole.

But that no misunderstanding may arize, I propose that three or four muskets be sealed with the seal of the State and my seal, one of which to be lodged at Richmond and the other to be delivered me as samples, and I condition it that in case so many black walnut stocks be not found, that any other wood of equal strength and goodness be adopted.

1796.
Sept. 12

The price I have fixed, calculating everything, will leave a bare mercantile profit, and I presume the State does not expect to be cheaper furnished. And I engage further, that all the arms shall be proved and none received but such as stand the proof, and this again is an additional charge to me of 20 p. cent. at the manufacturers. As you leave this to-morrow or this day, I propose sending powers to my agent at Philadelphia to contract with you in my behalf, provided the Executive at Richmond approve of these conditions and give you authority to contract with me.

I am very respectfully, &c.,

JAMES SWAN.

I mean that the charge or expence of proving the arms at Richmond shall be at the State expence.

ROBT. QUARLES TO THE GOVERNOR.

Informing him that the contract for supply of timber and firewood with David Ross would expire on the 30th of September, and could not be renewed on as favorable terms. Suggests that 25 or 30 acres of timber land be acquired by purchase or by condemnation for the use of the Arsenal.

Sept. 12,
Arsenal

THOS. NEWTON TO THE GOVERNOR.

Your Excellency's favor I duly received and will attend to your instructions, but I apprehend after all I shall be obliged to have recourse to jury to condemn some proper place for the buildings; but no time is lost yet in it. The excessive price of carpenters is such that I think it had better rest awhile, as they are now on a poize, and materials will also fall, that good buildings I expect may be erected in the spring for what very indifferent ones could be now. The money lies ready, and I have tempted many with an advance but without effect, unless double the value is paid for building and the land. The Collector and all the officers of the General Government have instructions and have offered me their assistance if I should want it. The Revenue Cutter is laid up unfit for service. She might have rendered us some benefit.

Sept. 12,
Norfolk

There seems to be no danger from Charleston.

Your, &c.

1796. Sept. 18, P. H. Moseley, Cl'k of Princess Anne, certifys that James Robinson failed to give bond and security for the performance of the duties of Sheriff and Collector of the Revenue Tax.

Sept. 21, Treasurer's J. Ambler requests a member of the Board to attend at the Treasury Office on the morning of Oct. 1st to examine and ascertain the amount of the Specie, &c., constituting the balance due therefrom on the annual settlement to the 30th instant.

R. SNODDY TO THE GOVERNOR.

Sept. 22, New London Resigns commission as Jailor on account of the insecurity of the Jail and insufficiency of compensation.

Sept. 24, Petersburg William Pelsory and Paul Carrington petition for the pardon of William John Thweatt, convicted of horse stealing at session of District Court and condemned to be hung. The petitioners represent the condition of Thweatt's mind to be nearly idiotic and therefore a fit subject for mercy.

ARCH'D STUART TO THE GOVERNOR.

Sept. 27, Washington By Mr. Parry I received a letter from the Kentucky Commissioners acceding to our proposal to meet at Cumberland Gap on the first day of October next, and informing us that they had appointed Buckner Thruston, Esquire, a third Commissioner on their part. General Martin and myself have on our part appointed Creed Taylor, Esq'r, of Cumberland, who we doubt not will be approved by the Executive. Gen'l Martin has gone on to make the necessary arrangements for our accommodation while in the woods, which I understand will not be less than forty days. Mr. Taylor and myself are thus far on our way to the place of meeting.

We are advised from the height and steepness of the Rocks on the summit of a considerable part of the Cumberland mountain it will be impossible to run along the top of it. At such places we shall be compelled to ascertain the distance and course to run as near its base as we can without marking. In such parts no dispute can ever arise as to the boundary as run. Indians have seldom, if ever, been known to cross at them. Wherever the boundary may be doubtful and the mountains are accessible, we propose to run and mark. At present we are unable to form any estimate of the expenses attending this business. For part of our provisions we must depend upon the forest. We are advised there

will be ten or twelve persons with the Commissioners from Kentucky.
Our number will probably not be less.

1796.
Sept. 27,
Washington

I have, &c.

THOS. NEWTON TO THE GOVERNOR.

Contradicting reports of Yellow fever at Norfolk. Admit some cases of bilious fever which have proved fatal among strangers and intemperate people.

Sept. 28,
Norfolk

Ro. QUARLES TO THE GOVERNOR.

Incloses usual Quarterly return of Military stores at the Arsenal, also a view of the state of the Loan of arms &c., made by the State to the United States. Promising ordinary pay-roll for artificers and Guard, an account current of expenditures for present Quarter, an ac't for summer clothing to guard, annual account for fire wood, timber &c., reminding of letting the Contractor's office for Arsenal; hopes for lower rates for provisions on account of greater abundance.

Sept. 30

Work done in the year preceding the 30th of September, 1796:

360 Bayonets ground, 235 Muskets stocked, 117 Locks made, 268 Bayonets forged, filed, and fitted; 204 Bayonets and Ramrods ground and polished, 109 Muskets cleaned and repaired and added to those in order, 272 Bayonets and Ramrods forged, filed, and fitted; 415 Muskets fitted with New Bayonets and ramrods.

J. PENDLETON TO THE GOVERNOR.

Having announced to the honorable the Executive my determination to resign on this day, I do accordingly hereby resign the office of Auditor of Public Accounts. Although this act is perfectly voluntary, I should dissemble, Sir, if I were not to confess that I retire with regret. The important trust which the Legislature and your hon'ble Board have been pleased for so many years to confide to me and the respectful countenance which they have always shewn me had attached me closely to my publick station, and besides the salary annexed to the office is of great importance to me, but, Sir, after thirteen years service, in the course of which time I have enjoyed very little relaxation from business, I find myself unable longer to bear the confinement and unremitting attention which the duties of the office require, and I would not under the influence of any other reason, resign during the recess of the General

Sept. 30

1796.
Sept. 30 Assembly, and I flatter myself, Sir, the season is such an one as will excuse me to that hon'ble body for having done so, and also be considered by the Executive as an apology for the trouble my resignation gives them.

I have, &c.

J. PENDLETON TO THE GOVERNOR.

Sept. 30 Testifys to his opinion of the superior qualifications of Mr. Shepard (from his long association with him and Mr. Shepard's familiarity with the duties of the office of Auditor of Public Accounts) as his successor in that office which he proposes to resign, and as a proof of his sincerity offers to become his security on his official Bond if the Board should appoint him.

Aug. 6th, 1796.

Oct. 1 Official Bond of Samuel Shepard as Auditor of Public Accounts, dated October 1st, 1796, with J. Pendleton, John Carter, and Richard Dobson as securities.

Oct. 1,
Treasury The Treasurer being enjoined to close the accounts of his office on the thirtieth day of September annually, we the underwritten, thereto appointed by the Executive at the request of the Treasurer, repaired to the Treasury in the morning of the first of October, in order to ascertain the amount of the money, tobacco and facilities actually in the Treasury, received on public account, and constituting the balance due therefrom on the the 30th of September, 1796.

Having examined and counted and weighed the Specie, we find it amount to one hundred and fifty-nine thousand two hundred and sixty-four dollars fifty-nine cents.

We find also notes for forty-eight hogsheads, quantity 39,343 lbs. nett crop tobacco which at the rates received into the Treasury, amount to one thousand seven hundred and thirty-one dollars seventy-seven cents, and indents to the amount of thirty-three dollars thirty-four cents which have been paid into the Treasury in discount, for certain taxes as the law directs.

JAMES WOOD,
HARDIN BURNLEY,
CARTER BRAXTON.

S. SHEPARD TO THE GOVERNOR.

Asking for the issue of a warrant to defray the expenses of riders going with notices to Sheriffs for taxes of 1795. 1796.
Oct. 3,
Richmond

Also asking the sanction of the Board to his appointment of an additional clerk in Auditor's Office.

GOVERNOR BROOKE TO GEN. WOOD, LIEUTENANT-GOVERNOR.

An opportunity now offers of sending Mrs. Perry the annual allowance from your society if you will send me an order for it. I will remit it to her by a gentleman who will go to Orange Court on this day week. Oct. 3,
Richmond

I am, &c.

Bond of Matthew Wills, with Elias Wills security, as contractor for supplying the Garrison at Point of Fork with Rations for 12 months succeeding Nov. 1, 1796. Oct. 6

M. HOUDON TO THE GOVERNOR.

The 8th of July, 1785, it was agreed between his Excellency Mr. Jefferson, in the Virginia's State's name, and me, that I should execute in marble the statue of Mr. Washington for the sum of 25,000f. French money, to be paid in three times. At the period of the last payment, at the end of 1792 I received 9,000f., which would formed the whole sum I ought to received if it had not been paid in assignats, who, losting in that time 60-100, only give the value of 5,625 silver, to remain due thereof 3,375. Oct. 7

By a letter to his Excellency Mr. Morris, I immediately claim against this sort of payment. I inclose him the answer Mr. Grand make for him to me. Mr. Morris and Mr. Short didn't receive answer from the Virginia State to the several letters they wrote on this account. When at the end of 1795 his Excellency Mr. Monroe ordered the Statute's departure, I renew my claim for being paid of the sum of 3,375, but neither the Minister or the Consul wont take any determination on this object. Them and me wrote to the Virginia's State on this account, but again no answer. Now I address myself directly to you, sir, and I hope you will find my request as right as did any of the three Ministers above mentioned, and that I shall be honored of a satisfactory answer.

I am, &c.

Paris, 8th October, 1796.

Please to direct your answer to this claim, "An Citizen Houdon, au Louvre a Paris."

1796.
Oct. 14

Capt. A. Dunscomb asks the Executive for an order to the Arsenal for sufficient Powder to return to Messrs. Gamble & Temple for amount borrowed of them as Captain of Artillery.

JOS. PRENTIS AND JOS. JONES TO THE GOVERNOR.

Oct. 22,
Fredericks-
burg

We find ourselves constrained by the duties of our office, to represent to the Executive the case of Jere or Jeremiah Hamilton, a free mulatto who was tried the last Dumfries District Court, for a rape committed on the body of Anne Duskins, wife of John Duskins of the County of Fairfax, and found guilty by the Jury, and in consequence sentence of death passed on him. There were circumstances exhibited in this case, which induced a disposition in the Court to set aside the verdict and award a new trial, but the objection in point of Law to a *vénire de-novo* summoned under the authority of the District Court, presented an insuperable obstacle to this mode of proceeding.

The disposition of the Court was produced from some part of the Testimony as delivered by the prosecutrix, which had created doubts in the Court whether the facts necessary to constitute the offence had been fully established.

We therefore recommend the prisoner to the Executive, as a person to whom if they think advisable, their pardon may be extended.

We are, &c.

Oct. 25

Application by the Treasurer of the Lunatic Hospital at Williamsburg for a warrant from the Executive on the Auditor for four hundred pounds.

THOMAS NEWTON TO THE GOVERNOR.

Oct. 27

Suggests that in view of the advanced state of the season the danger of infectious disease from Foreign places is past, and therefore the Quarantine vessel might be dispensed with.

Oct. 27

Petition of some of the inhabitants of Charlestown for a commission of the Peace to be granted to John Connel, Robt. Colwell, and Francis McGuire on account of the scarcity of Justices in that part of the country.

Petition of James Griffith and Jos. Dodridge, inhabitants of Charles-town, requesting the Executive to increase the number of Justices in the county of Ohio for the preservation of peace and good order and the protection of the community — account of the increasing immigration down the River Ohio.

1796.
Oct. 27

WINCHESTER DISTRICT, *October term, 1796.*

The Executive is informed of the escape from jail of Cabel Martin and Joseph Steer, prisoners charged with horse-stealing. Oct. 27

J. PEYTON, C. W. D. C.

Petition of M. Harrison, Ju'r, Ste'n Tho'n Mason, Tho. Swan, Jno. Minor, Ju'r, a large number of citizens of Fairfax and Prince William, for the pardon of Jeremiah Hamilton, free negro, convicted in the District court of Dumfries for rape on the body of Anne Duskins and condemned to be hung. The petitioners conceive the evidence in this case improbable, equivocal, and contradictory.

Also the petition of Benj'n Botts, counsel for the prisoner in this case.

Nov. 1

Resignation of Thos. Pollard as Notary Pub. of Westmoreland, Richmond, Lancaster, and Northumberland, on account of his removal and recommending Hokeley Towles for that position.

Nov. 3

Certificate of Mich'l Bailey, C. S. C., that Henry Harrison has not given Bond nor entered into the duties of the office of Sheriff of Sussex County agreeable to commission dated July 7th, 1796.

Nov. 3

Certificate of Will. Russell, clerk of C't of Directors of Lunatic Hospital that five vacancies exist in that court at this time.

Nov. 4

CAPT. JOHN MORRIS TO THE GOVERNOR.

Consenting to accept the amount of pay offered by the Executive for his company of Militia, called by Capt. Caperton to the assistance of his company of volunteers in Kanawha, viz: pay for three months' service, and requesting the same to be forwarded by William Morris, Jr.

Nov. 6,
Kanawha

1796.
Nov. 7 Auditor's annual statement of the Commonwealth's Revenue and Expenditures, together with list of balances due from the several counties, sent in to the Governor, to be by him laid before the House of Delegates.

Nov. 7 Petition of Elisha Meredith, of Cumberland, Lieutenant of Light Infantry, to have a muster fine remitted for reasons given.

THOS. NEWTON TO THE GOVERNOR.

Nov. 7,
Norfolk Enclosing bill of Capt. Baret for service on Quarantine Sloop Patty, and hire of same for that service, \$741 11. Acknowledging receipt from Collector of \$1,200. Advising the postponement of erection of buildings for accommodating persons attending Quarantine on account of the high price of building.

Nov. 8 At a Court held for Lee county the 8th day of November, 1796:
Ordered, that William Robinson, James McMillin, Benj'n Sharp, and James Hoff be recommended to his Excellency Robert Brooke, Governor of the Commonwealth of Virginia, and the honorable Privy Council, as fit persons for Captains of the Militia of the Ninety-fourth Regiment, in the county of Lee.

And Isaac Mullen, James Fulkerson, senior, Sam'l Poteet, and Joseph Coger for Lieutenants of the Ninety-fourth Regiment, in the county of Lee.

And Robert Gibson, Robert Semm, Henry Skidmore, John Muncey, and William Yearly for Ensigns of the Ninety-fourth Regiment, in the county of Lee.

Teste:

C. CARTER, C. L. C.

Nov. 8 At a Court held for Lee county the 8th day of November, 1796, present: Joshua Ewing, George Gibson, Benj'n Sharp, Peter Fulkerson, and James Hoff, Gentlemen.

Ordered, that John Fulkerson, James McMillen, Daniel Letterell, and William Campbell be recommended to his Excellency Robert Brooke, Esquire, Governor of the Commonwealth of Virginia, and the honorable Privy Council, as fit and capable persons to be added to the Commission of the Peace for the county of Lee; and that it be certified that William Ewing refused to serve as Justice of the Peace, and that John Hunter has removed to the State of Kentucky.

Teste:

C. CARTER, C. L. C.

JAMES INNES TO THE GOVERNOR.

Enclosing letters to Speakers of both houses of the General Assembly
resigning the office of Attorney General. 1796.
Nov. 13,
James City

Petition of Thos. Keith, late Sheriff of Fauquier, praying remission of Nov. 15
Damages for year 1792, having paid principal, interest and cost, as per
Auditor's statement enclosed.

Same of Aylett Buckner, Sheriff of same, for same, with Auditor's statement of payment for 1794.

IN THE HOUSE OF DELEGATES,
Tuesday, November 15th, 1796.

Resolved, that the Executive do proceed to execute the Act entitled "An Act authorizing the Executive to procure arms for the defence of the Commonwealth," in the mode which they may think most consonant to the public interest.

Attest:

JOHN STEWART, C. H. D.

1796, Nov. 19th.

Agreed to by Senate—Signed:

H. BROOKE, C. S.

A copy—Teste:

JOHN STEWART, C. H. D.

A petition signed by a number of citizens of Amelia County recites these facts: That at a Court of Oyer and Terminer held at Amelia Courthouse on the 7th day of September, 1796, a negro man named Kike, the property of Reuben Wright of said County, was tried for the crime of arson in burning a wheat barn belonging to said Wright.

The Court upon the testimony introduced, declared the prisoner guilty and sentenced him to be hung. This petition represents that the principle evidence brought forward was a confession of the prisoner of guilt of the crime charged.. In consequence of the motives which seemed to prevail with the prisoner, inducing him to make this confession, impelled by the apprehension of the cruelty which an inhuman, revengeful master would continue to inflict, (to which death alone promised relief,) these petitioners ask for the pardon of the prisoner.

Counter petitions are also found expressing conviction of the guilt of the prisoner, and grave apprehensions of the danger to his master and several others of the neighborhood by his being again set at liberty. Let-

1796.
Nov. 15 ters of Mr. Joshua Chapin of Amelia are found which indicate that moved by feelings of humanity, he has consented to purchase Kike from his master, if pardoned, and contracted to send him immediately out of Virginia.

Nov. 15 Petitions of R. Yates and Charles Tompkies, Sheriff of Gloucester, praying remission of balance of fine for non-payment of balance of Execution against James Baytop for part of Revenue of 1789.

IN THE HOUSE OF SENATORS,
Wednesday, Nov. 16th, 1796.

Nov. 15 The House according to the order of the day, proceeded by joint ballot with the House of Delegates to the choice of an Attorney-General for this Commonwealth, in the room of James Innes, who hath resigned, and the members having prepared tickets with the names of the persons balloted for and deposited the same in the ballot boxes, Mr. Cabell, Mr. Temple, Mr. Meade, Mr. Hoomes and Mr. McCraw were nominated a committee from the House of Delegates, in the conference chamber and jointly with them to examine the ballot boxes, and report to the House on whom the majority of votes should fall.

The Committee then withdrew, and after some time returned into the House and Mr. Cabell reported that the Committee had according to order, met a Committee from the House of Delegates in the conference chamber, and jointly with them examined the ballot boxes, and found a majority of votes in favor of Robert Brooke, Esquire.

Extract from the Journal.

Teste:

H. BROOKE, C. S.

IN THE HOUSE OF SENATORS,
Wednesday, November 16th, 1796.

Nov. 17 The House, according to the order of the day, proceeded by joint ballot with the House of Delegates to the choice of Auditor of Public Accounts in the room of John Pendleton, who hath resigned; and the members having prepared tickets with the names of the persons balloted for and deposited the same in the ballot boxes, Mr. McCraw, Mr. Preston, Mr. Bassett, Mr. Eyre, and Mr. Holmes were nominated a committee to meet a committee from the House of Delegates in the conference Chamber and jointly with them to examine the ballot boxes and report to the House on whom the majority of votes should fall.

The committee then withdrew, and after some time returned into the

House, and Mr. McCraw reported that the committee had according to order met a committee from the House of Delegates in the conference chamber, and jointly with them examined the ballot boxes and found a majority of votes in favor of Samuel Shepard.

1796.
Nov. 15

Extract from the Journal.

Teste:

H. BROOKE, C. S.

ROBERT PORTERFIELD TO THE GOVERNOR, OR JAS. WOOD, LIEUTENANT-GOVERNOR.

Permit me to represent to your Excellency that the officers appointed to command the artillery at Staunton have been extremely assiduous in endeavouring to raise their company, and have so far succeeded as to have a considerable proportion of their men in uniform, and could the commanding officer (who I think well calculated to command a company of artillery either in time of peace or war) be furnished with the *Field Piece* contemplated by Law, I have no doubt that the Comp'y would be complete in a short time, and the emulous disposition shewn by the officers afford the most sanguine expectation; that a knowledge of their exercise and duty would very soon be acquired, without which that part of the Militia Law which relates to artillery is rendered nugatory. Therefore, if there are any Pieces of artillery at the disposal of the Executive I hope they will direct one to be sent on to Staunton for the use of the company aforesaid; and altho' it may not be within my particular province to make an application of this kind, yet as I think it would tend to the Public good, and being desirous to see complete the several Corps within the Brigade District which I have the honour to command, I can with the more confidence rely that the representation I have made will not be thought impertinent. I would also beg leave to remind the Executive that the rules of discipline and copies of the Militia Law have not yet come to hand for the 7th Brigade.

Nov. 17

I have, &c.

I do hereby certify that Mrs. Perry, the widow of Lieutenant John Perry, of the 3rd Regiment of Cavalry, is still a fit object of charity and merits a continuance of the aid of the Society of the Cincinnati.

Nov. 22

FRANCIS BROOKE,
A member of the Society of the Cincinnati.

1796.
Nov. 22 Petition of Daniel Howe, Sh'ff of Montgomery, for remission of a fine
of ten dollars against him for temporary absence from court-room during
a session of Court.

JOSEPH JONES TO THE GOVERNOR.

Nov. 23 Recomending Robert Messenburg as an Inspector at Barksdale's
Warehouse; likewise the following names for same position: Peter
Vaughan, John Anderson, Bozwell Hutchens, Benj'n Bosseau, Jun'r,
Edward Pegram, Jun'r.

JOSEPH KENT TO THE EXECUTIVE.

Dec. 1 When I contracted to supply the volunteer Militia on the Southwestern
frontier of this State for the years 1792, '93 and '94, I was assured that
punctuality would be observed on the part of the public in making the
advances and payments promised to me. Under this impression I en-
gaged and did for a length of time supply these troops either out of my
own purse or credit, both of which were extended for their benefit.
Several applications were made by me to Government for the money
they had promised, and frequently, notwithstanding the strong assurance
given me, I was disappointed. My contract was that, if the public did
not always pay me agreeable to our contract, I should be compensated
for the disappointments, the time lost, and money expended in going to
the seat of Government for it. At four different times did I attend, with
much fatigue and expense, and was disappointed each time, from which
circumstance I am a considerable loser. As I conceive it was within the
power of the Executive to redress me and make me the compensation
promised, I do now apply to them with a hope of success. To support
the account which is herewith sent, I can produce a sufficient document,
and Gen'l Lee, the then Governor, will confirm what I have said above
with respect to my contract and the promise given me by the public.

With respect, I am, &c.

IN NOTTOWAY COUNTY COURT.

Dec. 1st, 1796.

Dec. 1 Abram Hatchett and John E. Jackson are recommended to his Excel-
lency the Governor and Council as fit persons to execute the office of
Coroner in this county.

THOMAS WARING TODD, D. C.

WILLIAM LOWTHER TO THE GOVERNOR.

Inclosed you will receive a pay and muster abstract for six Scouts ordered into service under my command by Gen'l Benj'n Biggs for the defence of Harrison in the year 1795, also one Scout by the name of Bird Lockhart by advice of John Dawson, Esquire, member of the Council of State, but in consequence of orders received from your Excellency dated the — day of —, 1795, directing that the Scouts should be continued in service until further orders, which orders I have never received, the Scouts therefore continued in service as long as they and the inhabitants thought necessary.

1796.
Dec. 5,
Harrison

Robert Bartlett, Moses Hall, Elias Hughs and Henry Brandenburg continued until the first of Jan'y, 1796; Moses Hewett, Daniel Rowell, and Bird Lockhart until the 24th of October, 1795. You will, therefore, readily discover the reason why the blanks are left in the abstract and muster roll and regulate the same as the nature and justice of the case may require.

I have, &c.

IN THE HOUSE OF SENATORS,
Tuesday, December the 6th, 1796.

The House proceeded according to the orders of the day, by joint ballot with the House of Delegates, to the choice of three members of the Privy Council or Council of State to supply the vacancies occasioned by the resignation of two of that body, and the appointment of James Wood, Esquire, to be Governor or Chief Magistrate of this Commonwealth; and the members having prepared tickets with the names of the persons voted for and deposited the same in the ballot-boxes, Mr. Peyton, Mr. Preston, Mr. Birkett, Mr. Strother, Mr. Bassett, and Mr. Chinn were nominated a committee to meet a committee from the House of Delegates in the Conference Chamber, and jointly with them to examine the ballot-boxes and report to the houses on whom the majority of votes should fall.

Dec. 5

The committee then withdrew, and after some time returned into the House, and Mr. Peyton reported that the committee had, according to orders, met a committee from the House of Delegates in the Conference Chamber, and jointly with them examined the ballot-boxes and found a majority of votes in favor of Meriwether Jones, John Pendleton, and John Mayo, Esquires.

Extract from the Journal—Teste:

H. BROOKE, C. S.

1796.
Dec. 5

Received of the Electors of a President and Vice-President of the United States, a packet directed to the President of the Senate of the United States, containing a list of the votes for the State of Virginia for the said President and Vice-President, which packet is subscribed by the said Electors, and I hereby engage to deliver the same to the President of the Senate at Philadelphia before the first Wednesday in January next. Richmond, December the 7th, 1796.

SAM'L PETTUS.

Attest: PETER G. BALGROVE.

Henrico—to wit:

Dec. 5

I do hereby certify that I have administered the oaths prescribed by law to be taken by a Privy Councillor unto Meriwether Jones and John Pendleton, Esquires.

Given under my hand this 7th day of December, 1796.

DAN'L L. HYLTON.

Virginia—to wit:

Dec. 5

I do hereby certify that I have administered the oaths prescribed by law to be taken by the Governor or Chief Magistrate of the Commonwealth unto James Wood, Esquire, who hath been elected for that office.

Given under my hand this seventh day of December, 1796.

DAN'L L. HYLTON.

IN THE HOUSE OF SENATORS,
Thursday, December the 8th, 1796.

Dec. 5

The House, according to the order of the day, proceeded by joint ballot with the House of Delegates to the choice of two members of the Privy Council, or council of State, in the Room of Robert Goode and John Steele, who were removed from that office by joint ballot of both Houses; and the members having prepared tickets with the names of the persons voted for and deposited the same in the ballot boxes, Mr. Cabell, Mr. Peyton, Mr. Strother, Mr. Hoonies, and Mr. Eyre were nominated a Committee to meet a committee from the House of Delegates in the conference chamber, and jointly with them to examine the ballot boxes and report to the House on whom the majority of votes should fall.

The Committee then withdrew, and after some time returned into the House, and Mr. Cabell reported that the Committee had according to order met a committee from the House of Delegates in the conference

chamber, and jointly with them examined the ballot boxes and found a majority of votes in favor of John Grennan, Junior, and Alexander McRae.

1796.
Dec. 5

Teste:

H. BROOKE, C. S.

Bond of John Brown, with Janies Machie and Peter Hull securities, as collector of arrears of taxes in the tenth Brigade District received.

Dec. 5

Bond of William McClerey, with John Haymond and John Evans, Ju'r, securities, as commissioner for the faithful expenditure of Five Hundred Dollars for opening a road from Savage River to Morgan Town, lodged.

Dec. 14

ROBERT POLLARD TO THE GOVERNOR.

I herewith hand you the James River Company's account against the Commonwealth of Virginia. The balance due the Company, Twelve Hundred and forty-two pounds, fifteen shillings and five pence, if found right, you will please give me an order on the Treasurer for.

Dec. 15

The interest charged in the account is conformable to the act of the assembly authorizing the loan.

I have, &c.

Application of Micajah Davis to the Executive for an appointment as superintendent of the business of locating and erecting buildings for the accommodation of 200 convicts under Act of the present General Assembly, lodged.

Dec. 15

Proposals by Jacob Cooke to manufacture one thousand stand of arms complete, at sixteen dollars each, and a second thousand stand at fifteen dollars each. Sundry certificates as to Cooke's skill as an armourer and character as a man are lodged.

Dec. 19

ROBERT BROOKE TO THE GOVERNOR.

Agreeably to your request, I send you enclosed an inventory of all the furniture belonging to the Government House, and am, &c.

Dec. 19

In the dining-room, a good set of tables, a handsome sideboard, ten chairs, a convenient press. No furniture for drawing-rooms except two

1796.
Dec. 19

card-tables, *one tea-table, two in the passage, a mahogany press, a marble slab, eleven green chairs. In the lodging-rooms, a mahogany bedstead, one plain Do., seven chairs. No china, house linen, or kitchen furniture. One bedstead not in the above list.

On enquiry I find that two mahogany chairs were sent to Swan's shop to be repaired. The bottoms are in the garret. The other two chairs were old and broken, and will be found in the kitchen. The green chair was broken in pieces and not worth mending.

I am, &c.

*This article was not in the house when I took possession. Everything else was ruined. All the chairs old and many of them broken.

J. Wood.

M. CLAY TO JOHN WISE.

Dec. 20

Being called to the State of Kentucky this fall to examine into the situation of some lands given me for my services during the last war, in the course of the examination I found entered in the books of James Thompson, Surveyor of Lincoln county, a location by General Rogers Clarke of 101,920 acres of land, made the 29th of October, 1781, on behalf of this Commonwealth, by virtue of a balance of warrants remaining in his hands, which had been deposited with him by this State for the purpose of enabling him to recruit men to go against the Illinois. As the land remains in the situation in which General Clarke left it, I presumed the Government of Virginia was either ignorant of or had forgotten the location, and therefore took some pains to ascertain its real state. I inquired of Mr. Thompson, the Surveyor of Lincoln, what had been done with it; he answered that nothing had been done with it that he knew of, and that it remained subject to the disposition of Virginia. I inquired of George Madison, Auditor of Public Accounts for the State of Kentucky, whether the land had been listed according to the laws of the Commonwealth and was informed by him that it had not, of which he gave me a certificate, which, together with a certificate of the entry, is enclosed.

I have taken the liberty of communicating to the Assembly through you, the foregoing information, supposing that honorable body the most proper department of Government to receive it, as they can take such steps as are most proper.

With respect, I am, &c.

George Rogers Clarke, Brig'd'r Gen'l, in behalf of the State of Virginia. Enters 101,920 acres upon 182 Treasury warrants, five hundred and sixty acres each, to be laid off in one or more surveys.

Beginning at the mouth of a creek at the head of the first Island in the Mississippi below the mouth of the Ohio; thence down the Mississippi to the mouth of Mayfield creek coming in at the Town of Clarksville; thence up said creek to the first Highland, bounded thence downwards by the Drownded lands of the Mississippi to the Carolina line, to extend eastwardly on the said line and up the creek began on for Quantity, so that the lands about the Borough of Clarksville shall extend at least eight miles from the river, except that distance should interfere with the Barrens entered the 29th of October, 1781.

1796.
Dec. 20

A copy—Teste:

JAMES THOMPSON, S. L. C.

I do hereby certify that the above mentioned Treasury warrants, on which the above Entry is founded is in my office.

JAMES THOMPSON, S. L. C.

November 28th, 1796.

AUDITOR'S OFFICE, Nov. 22nd, 1796.

It does not appear from the Records of this office, that any person has entered any Land in behalf of the State of Virginia lying in the State of Kentucky.

GEORGE MADISON, A. P. A.

IN THE HOUSE OF SENATORS,
Friday, December 23rd, 1796.

The House according to the orders of the day, proceeded by joint ballot with the House of Delegates, to the choice of a Treasurer of this Commonwealth for the ensuing year, and the members having prepared tickets with the name of the person to be appointed, and deposited the same in the ballot boxes, Mr. Cabell, Mr. Temple, Mr. Meade, Mr. Ridley and Mr. Hoomes, were nominated a committee, to meet a committee of the House of Delegates in the conference chamber, and jointly with them to examine the ballot boxes and report to the House on whom the majority of votes should fall.

Dec. 20

The committee then withdrew and after some time returned into the house and Mr. — reported that the committee had according to orders met a committee from the House of Delegates in the conference chamber, and jointly with them examined the ballot boxes and found a majority of votes in favor of Jaquelin Ambler, Esquire.

Teste:

H. BROOKE, C. S.

Norfolk Borough:

1796.
Dec. 20

At a court of Oyer and Terminer, held the 21st day of December, 1796, for the trial of a negro man slave, Charles, the property of Gilbert Curle of Lancaster, charged with feloniously assaulting the person of Abbey Tolbz, in the streets of this Borough on the night of the tenth instant:

Whereupon it appeared to the court on the examination of sundry witnesses that the said Charles was guilty of the charge as alleged, and that therefore he be hanged on Friday, the 27 day of January next.

IN THE HOUSE OF DELEGATES,
Monday, December 26, 1796.

Dec. 23

Resolved, That the Executive be authorized to employ such an additional number of artizans at the Point of Fork as will in their judgment be enabled to put the arms therein in complete order without unnecessary delay.

Resolved, also, That the Executive be requested to ascertain the most eligible situation in the City of Richmond or its vicinity, for an arsenal and manufactory of arms, and make report thereof to the next session of the General Assembly.

Attest:

JOHN STEWART, C. H. D.

1796, December 27th.

Agreed to by the Senate.

H. BROOKE, C. S.

Henrico, sc.:

Dec. 23

John Mayo, Esq'r, personally appeared before me, a magistrate for said county, and in due form took the oath of office prescribed by law for a Privy Councillor, and also the oath to the United States.

Given under my hand this 28th day of December, 1796.

W. FOURSHEE.

SAM'L DOBIE TO THE GOVERNOR.

Dec. 30

Applying for the appointment of Architect of the Penitentiary House.

Quarterly Return of Arms and Military Stores at the State Arsenal.

Dec. 31

1 Brass Mortar, 1 Brass 6-Pounder, 1 Brass 4-Pounder, 1 Iron Piece of ordnance, 5279 muskets in complete order, 3493 muskets with ruff Bayo-

nets, 80 new stocked muskets out of repair, 300 Musket Barrels fit to be stocked, 400 Pickers and Brushes, 2939 musket worms, 132 Screw Drivers, 805 artillery swords, 293 Grenedeer Swords, 7 Barrels Gun Powder, 40 Pigs Lead, 181 case shot from 4 to 6 pounds, 263 Round Ditto, 30 Rheams of cartridge paper, 18 Bbls. Flints, 1650 lbs. Ball and Buck shot.

1796.
Dec. 31

Work performed this Quarter:

98 muskets stocked, 92 muskets repaired and fitted with Bayonets and R. Rods, 264 Bayonets and R. Rods ground and polished, 135 Musket Locks made.

N. B.—Fifty stand of the repaired arms have been sent to Northampton County since last Quarter Return by order of the Hon'able the Executive.

ROBT. QUARLES, Supt. S. A.

R. QUARLES TO THE GOVERNOR.

Inclosed I forward to the honorable the Executive the usual Quarterly Return of Military Stores and Arms under my care. You will likewise receive the customary Pay Rolls, with the account current of the Quarter's Expenditures, and the contractor's account for Rations, &c., furnished the Garrison.

Dec. 31,
State
Arsenal

I have, &c.

[Pay Rolls, account current, and contractor's account not found.—ED.]

THOMAS NICHOLSON TO THE GOVERNOR.

Proposing to print the Laws of the Union of the last sitting of Congress for use of the State.

Dec. 31

JAMES GARRARD TO THE GOVERNOR.

I do myself the honour of inclosing to your Excellency, sundry Resolutions of the Legislature of Kentucky, on the Report of the Commissioners for ascertaining and fixing the Boundary Line between this State and the State Virginia.

1797.
Jan. 2,
Frankfort

If the Legislature of Virginia has taken up this subject and adopted any measures, that may make another meeting of the Commissioners necessary, conformable to the fourth resolution of this State, I must request your Excellency to give me the earliest intelligence, that I may direct the Commissioners on the part of Kentucky to hold themselves in readiness.

I am, &c.

IN THE GENERAL ASSEMBLY,

Dec. 13th, 1796.

1797.
Jan. 2

The Senate according to the orders of the day, resolved itself into a committee of the whole house on the state of the Commonwealth, and after some time spent therein, Mr. Speaker resumed the chair and Mr. Machin reported that the Committee had according to order, had under consideration the report of the Commissioners for ascertaining the boundary line between this State and the State of Virginia, together with the depositions and other documents relating thereto to them referred, and had come to sundry resolutions which were twice severally read, and agreed to by the Senate as followeth:

Resolved, That the boundary line claimed and insisted on by the commissioners on the part of Kentucky, Beginning at the mouth of great Sandy creek and up the same to the junction of the main North Easterly and westward by the branches thereof; thence up the said North Easterly branch to the dry fork in the great dividing Ridge or mountain between the waters of Sandy and Tennessee near James Rorix's, in the Baptist Valley; thence along the said dividing Ridge or mountain southwardly thro' Cumberland Gap to Walker's line, which separates the States of Virginia and Kentucky from the States of North Carolina and Tennessee—is the true boundary line between the States of Virginia and Kentucky agreeably to the intent and meaning of the act "For the erection of the District of Kentucky into an independant State."

Resolved, That the General Assembly do approve the conduct of the said commissioners from this State in their endeavours to execute the business intrusted to them.

Resolved, That it is the wish of this State to adjust the Boundary between the two States in an amicable manner, and so as to do as little injury as possible to the citizens of either State.

Resolved, That the Governor be requested to transmit a copy of the above Resolutions to the Governor of Virginia as early as possible.

Resolved, That the Commissioners on the part of this State proceed no further in the business without the future direction of the Legislature, unless the Legislature of Virginia shall authorize their Commissioners to recede or compromise on terms deemed by them admissable on the part of this State.

B. THURSTON, C. S.

T. TODD, C. H. R.

Read and concurred in by the House of Representatives, Approved and signed by the Governor.

HARRY TOULMIN, Secretary.

State of Kentucky, Secretary's Office, to wit:

1797.
Jan. 2

I do hereby certify that the preceding copy of Minutes and Resolutions of the Legislature of this State respecting the boundary line between this State and the State of Virginia, and is conformable to the enrolled copy lodged in this office.

HENRY TOULMIN, Secretary.

January 2nd, 1797.

At a Hustings Court held for the Town of Petersburg, the Court nominated to the Governor Robert Armistead and Joseph Badger, of said town, as fit persons to be Coroner of said Town.

Jan. 2

WILLIAM PRICE TO THE GOVERNOR.

Asking for the continuance of the same number of clerks in the Land Office as in the preceding year.

Jan. 2

HENRY TAZEWELL TO THE GOVERNOR.

Some time ago I received your letter addressed to Mr. Mason and myself on the subject of obtaining passports for the arms which Mr. Swann had purchased for Virginia. Mr. Mason had not arrived in Philadelphia, and a severe indisposition prevented my answering the letter sooner. I now enclose you the necessary documents for obtaining the desired passports. Perhaps, however, if the State of Virginia are to be at any risque under the contract with Mr. Swann, it would be prudent to obtain from the British and French consuls at Norfolk additional passports.

Jan. 2,
Philadelphia

I have lately received from you another letter relative to the prolongation of the time for importing public arms duty free. Relying that you would peruse the act exempting such arms from duties in our ports, Mr. Mason and myself deemed it unnecessary to state Reclamation to you in our former communication on that subject. We will, however, use our utmost endeavors to obtain a prolongation of the time. I doubt our success. Whatever may be the result you shall instantly know.

I have, &c.

M. DAVIS TO THE GOVERNOR.

Renewing application for appointment as Superintendent of Building Penitentiary House and Goal; also for appointment as Keeper of that Institution.

Jan. 3,
Richmond

1797.
Jan. 5 Petition of James Caldwell, Benj'n Biggs, Philip Doddridge, Moses Chapline, and others of the county of Brooke for the re-commission of William Southerland, whose name had been omitted erroneously from the list of those recently commissioned, and testifying to his faithful service of nine years as a Justice previous to the formation of Brooke county without compensation.

ROBERT WOOD TO THE GOVERNOR.

Jan. 5 Prays for remission of a fine charged against him for non-attendance as a Grand Juryman at August term of Frederick Court, 1793, with reason of illness of his wife at that date.

J. JACKSON TO JOHN PENDLETON.

Jan. 6 Asking his friendly interference with the Executive to have his salary fixed at £150 per annum, the same as his predecessors, the Auditor having declined to pay him more than £25 per quarter.

JOHN DILLARD TO THE GOVERNOR.

Jan. 9 Prays for remission of damage against him as Sheriff of Henry on account of a balance of Revenue for 1794, having paid principal, interest and cost on same.

WILLIAM HERBERT TO THE GOVERNOR.

Jan. 9 Forwarding January statement, 1797, of the Bank of Alexandria.

Balance of the Books Bank of Alexandria, Jan'y 9th, 1797.

| | | | | | |
|---------------------|---|--------------|------------------|---|--------------|
| To Bank House, | - | \$ 4,100 00 | By Deposits, | - | \$42,632 30 |
| Discounts, | - | 566,774 48 | Post Notes, | - | 57,443 86 |
| Incidental Charges, | | 5 00 | Bank Notes, | - | 351,040 00 |
| Cash, | - | 217,805 50 | Dividends No. 2, | | 36 00 |
| | | | Profit and Loss, | | 2,021 19 |
| | | | Dividends No. 4, | | 36 00 |
| | | | Dividends No. 5, | | 34 00 |
| | | | Dividends No. 6, | | 230 00 |
| | | | Dividends No. 7, | | 7,200 78 |
| | | | Stock, | - | 327,200 00 |
| | | | Discounts, | - | 810 85 |
| | | | | | |
| | | \$788,684 98 | | | \$788,684 98 |

Bank of Alexandria, January 9th, 1797. E. E.

GORDON CHAPIN, Cashier.

ROBERT BROOKE AND EDMUND RANDOLPH TO THE GOVERNOR.

We have now the honor of enclosing to your Excellency the draught of a deed executed by Mr. James M. Marshall, which we have examined, approve, and offer to the Executive for their approbation and acceptance. Mrs. Marshall, though a party, is in Philadelphia, but will be in Virginia in March. However, as her possible eventual title of dower scarcely deserves a consideration, we have done no more with Mr. Marshall than to stipulate that the deed is not to be deemed perfect until that chance of dower is by privy examination or otherwise extinguished.

1797.
Jan. 10

We have the honor to be sir, &c.

I assent to the above.

J. M. MARSHALL.

BASIL WOOD TO THE GOVERNOR.

Soliciting employment in the management of the Virginia Penitentiary. Jan. 11,
Philadelphia

JOHN BARRETT TO THE GOVERNOR.

Offering Lotts opposite to Hay market for one hundred and fifty pounds, Jan. 11
as a site for the Penitentiary.

J. AMBLER TO THE GOVERNOR.

Mr. Page, one of our Delegates in Congress, has been applied to for information whether the under-mentioned Bills would be honored by the Executive of Virginia; in compliance with Mr. Page's request, I take the liberty to lay his application before the Board. Jan. 14,
Treasury

I am, &c.

Bills drawn by General Clarke, on the Treasurer of Virginia or Oliver Pollock of New Orleans in favor of Mr. Rapicault, dated May and June, 1779, at Kaskas Kia, for 300, 408 $\frac{1}{2}$ and 617 dollars for sundries furnished the Commonwealth, also one Bill drawn by Wm. Shannon, Cond'r Gen'l, on the Treasurer of Virginia, in favor of Mons'r Charles Lalhapell, for 123 dollars, dated 5th of July, 1779, at Fort Clarke in the Illinois.

Ro. QUARLES TO THE GOVERNOR.

1797.
Jan. 16,
Arsenal

Your favor of the 9th Inst, enclosing the Resolution of the Gen'l Assembly respecting the employment of an additional number of Artificers at this place, I have before me. In answer to which I have to observe, that we have already more artificers here than the present houses will accomodate comfortably; it will follow of course then that if we add to the present number of Smiths, we shall be under the necessity of erecting houses for their reception. I have calculated that the artificers now employed here, are sufficient to complete the whole of the public work in the course of the present year.

If this will embrace the meaning of the Gen'l Assembly in this resolution, it will be better to complete the work with our present number of hands, than to be at the expense of Building houses to receive others. It has been with great difficulty, I have collected the present number of Gunsmiths from the various parts of the State, nor do I know where others can be obtained.

I consider our present collection of Artificers at this place as a valuable treasure to the State of Virginia, if a manufacture of arms for Public use is contemplated. Now, Sir, if in the time which will intervene between the completion of the work here and the Establishment of the manufactory as contemplated by the Gen'l Assembly, those different characters should either establish themselves in their present occupations in the country, or betake themselves to other Public works, we shall probably at a future day be unable to command their services. I have suggested this idea to you Sir, under a confidence that if you think it worth the notice of the Public, you will treat it so as to render it conducive to its welfare.

I have, &c.

IN THE HOUSE OF DELEGATES,
Saturday, November the 12th, 1796.

Jan. 16

Resolved, That the Executive be requested to furnish this house with a copy of the returns of work done at the Arsenal at the Point of Fork, commencing the first of October, 1795, and terminating the thirtieth of September, 1796.

Teste:

JOHN STEWART, C. H. D.

WILLIAM PRICE TO THE GOVERNOR.

Jan. 16, Land Office Agreeably to request I have made a rough estimate of the time it will take to record the Plots and Certificates of Survey mentioned in a Reso-

lution of the House of Delegates on the 22nd of December, 1794. In making this estimate I confine myself to the mere record of the Plots and Certificates, without paying any regard to the assignments and other documents belonging thereto. Under this calculation (which is at the rate of one hundred per week) it will employ two persons five and a half years to record and examine the said Plots and Certificates of Survey. It must be observed that about one-fifth of the work is required to be performed by my predecessor, Mr. Lewis, and the remainder by Colonel Harvie.

1797.
Jan. 16,
Land Office

I am, &c.

IN THE HOUSE OF DELEGATES,
December 22nd, 1794.

Resolved, That the Executive be requested to call upon John Harvie and Charles Lewis, Esquires, to record all such Grants and Plats and Certificates of Survey now remaining in the Land Office as have not hitherto been recorded, and which by law they were bound to have entered of record, and that the same be done under the direction of the present Register within the term of two years, and in case that they, or either of them, refuse or fail to do the same, that the Executive be requested to employ a proper person or persons to compleat the said records, and so soon as the expense thereof shall be ascertained, that they cause suits to be brought on their bonds to recover from them their respective proportions thereof, in case they should fail to pay them.

Teste:

CHARLES HAY, C. II. D.

December 25th, 1794.

Agreed to by the Senate.

H. BROOKE, C. S.

A copy—Teste:

JOHN STEWART, C. II. D.

Henrico, Sc.:

Personally appeared Nathaniel Holman before me, the subscriber, a Justice of the Peace for said county, who made oath that he delivered a copy of the above Resolutions of the General Assembly to Charles Lewis, late Register of the Land Office on the 17th day of this instant, agreeably to the direction of the Executive.

Sworn to this 20th day of October, 1796.

REUBEN GEORGE.

ROBERT BROOKE TO THE GOVERNOR.

I have been honored with your communications of the 9th and 14th Inst, and must beg you to excuse my not having sent you a more early

Jan. 20,
Richmond

1797.
Jan. 20,
Richmond

reply to them; as I have been prevented from doing so by the late derangement of my household.

With respect to the land entered by Gen'l Clarke in the State of Kentucky on behalf of the Commonwealth of Virginia, the title appears from the documents furnished, to be at present merely inchoate, and from the length of time which has elapsed since any attention has been paid to it, I think it is to be apprehended that it will be necessary to combat many interfering locations, before it can be completely established.

To affect this, I conceive it would be most advisable to employ immediately one of the most eminent and astute attorneys in Kentucky to prosecute the claim, and vest him with competent powers and means to bring it to a speedy completion.

The Resolution of the General Assembly respecting the adjustment of the dividing lines and boundaries between this State and the State of Maryland, shall experience my particular attention, nor shall its object be delayed by a want of my agency to affect it.

I have, &c.

ROBERT MAXWELL TO THE GOVERNOR.

Jan. 23,
Randolph
County

Declining the appointment of assessor of lands in his county on account of other engagements as Dep. Clerk, and recommending Abraham Claypool, Esq'r, for the place.

JOHN TAYLOR TO THE GOVERNOR.

Jan. 25,
Caroline

I have the honor to acknowledge the receipt of your letter of the 14th instant, covering a resolution of the Assembly of December the 26th. 1796.

Permit me to ask the favor of you to hand the inclosed letter upon that subject to Mr. Marshall.

I am, &c.

JAMES MCFARLANE TO THE GOVERNOR.

Jan. 27,
Russell Co.

Some time past I received a commission from his Excellency, Governor Brooke, dated the 11th of June, 1796, for the purpose of pursuing and apprehending the perpetrators of the murder of the unfortunate Mr. Teubeuf and family.

The commission by some means was detained after it was sent from the post-office a considerable time before it came to my hand. The other person named in the commission (Col. Cowan) declined serving on

account of an indisposition which rendered him incapable (as he thought) of supporting a journey of such length, and likely to be attended with hardship and fatigue. However, Col. Cowan appointed Lieut. Ward to act in his place, and I was happy in the appointment, knowing him to be a good young man and of approved integrity, though this change, together with the delay of the commission and preparing for so extensive a journey, prevented our starting till the time mentioned in our journal.

1797.
Jan. 27,
Russell Co.

Agreeable to my proposition to his Excellency, Governor Brooke, the 3rd of May, 1796, I have herewith enclosed a minute of our proceedings to which I refer you for further information, and hope it will meet with the approbation of Government; and as to compensation for our services we submit it to the proposition already made, and the sum that Government may think proper to allow us might be forwarded in a bank note or notes by mail to Abingdon.

I hope that Mr. Ward's serving instead of Col. Cowan will not be a matter of objection with Government, as I have every reason to know that he has faithfully discharged his duty as far as in his power, and we have only to regret that we have been unsuccessful.

I would esteem it a singular favor if your Excellency would please by some means let us know whether or not Government approves of our conduct in offering a reward to apprehend the murderers, and if they should be taken and confined agreeable to our advertisements whether or not we shall bring them forward.

I have taken the liberty to enclose one of the advertisements to your Excellency, to which Mr. Ward has set his name as an agent, as I conceived that two signatures were required, but provided it should not meet with the approbation of Government, Mr. Ward is willing to advance his part of the reward, provided the murderers are brought to condign punishment.

I can assure your Excellency that nothing could prevail with me to take such another journey, only what at first induced me, (viz) the honour of my country and the dignity of the State, as I had to expose myself to great hardships; the weather in those parts being ten degrees colder than ever known before, the effects of which I now feel in a disagreeable, lingering, disordering state which I despair of surmounting very soon.

I am, &c.

REWARD FOR A MURDERER.

Whereas a certain John Brown (alias Bonds) and Richard Barrow, did in the month of April, 1795, commit in the County of Russell in the State of Virginia, a most horrid and deliberate murder and robbery on

Jan. 27,
Russell Co.

1797.
Jan. 27,
Russell Co. the body and property of Francis Peter Teubeuf and family, and have fled and are now fugitives from the justice of that State—

We do therefore as Agents for the Commonwealth of Virginia, (in pursuance of the laws in that case made and provided) by commission bearing date the 11th day of June, 1796, signed by the Governor and sealed with the seal of said State, offer a reward of Five Hundred Dollars to any person or persons who will deliver the said John Brown (alias Bonds) and Richard Barrow to us, in the county where the murder was committed, or to the Jailor of said county, or any person or persons who will confine them in any jail in the United States, so that we can receive them into custody, shall receive a generous reward by us.

The aforesaid John Brown (alias Bonds) and Richard Barrow, are of the following description, to-wit: John Brown (alias Bonds) is about five feet eight inches high, a thick set strong made man, would weigh about 180lbs, black short curly hair, dark colored eyes, of a fresh comely complexion; appears to be a sober sedate man; he hath lost two toes, or one and part of another off one foot, it is said since he committed the aforesaid crimes; he hath a small scar on one of his cheeks, about the size of a grain of corn, and appears as if it were burnt; he hath a very remarkable scar on one of his legs on the inside of the calf; 25 or 30 years of age.

Richard Barrow is nearly the same height and age with Brown; slender built, of a pale complexion, disagreeable countenance, and down look; hath a scald head (it is said it is getting better,) and always wore a handkerchief about it; he speaks thick and fast, and appears of a rattling disposition, hath fair hair.

The aforesaid Brown and Barrow were apprehended in the last month of May, 1796, at the Illinois in New Design for the aforesaid crimes—and broke custody.

The above reward of five hundred dollars will be paid by us at Russell county court house in the State of Virginia, on the delivery of the aforesaid men.

JAMES MCFARLAND,
JOHN WARD,
Agents.

Jan. 27 Know all men by these presents that we, William Price, Sen'r, and John Harvie, of the county of Henrico, are held and firmly bound unto James Wood, Esquire, Governor of the Commonwealth of Virginia, in the just sum of five thousand dollars to be paid to the said James Wood or his successors in office, for the use of the said Commonwealth, to which payment well and truly to be made, we do bind ourselves, our heirs, executors, and administrators, jointly and severally by these presents. Sealed with our seals and dated the thirtieth day of January, 1797.

The condition of the above obligation is such that whereas the above bound William Price, Sen'r, hath contracted with the Executive to make or cause to be made a fair record of all such grants and plats and certificates of survey remaining in the Land Office as are specified in a resolution of the General Assembly passed in the year 1794, requesting the Executive to call upon John Harvie and Charles Lewis to record the same, and which by law they were bound to have entered of record. Now if the said William Price, Sen'r, shall well and truly perform the duties required of him by the said contract as contained in the advice of the Council of the 25th of January, 1797, and shall safely return to the Land Office all such grants and plats and certificates of survey as shall be delivered to him from time to time by the Register, then this obligation to be void, or else to remain in full force and virtue.

1797.
Jan. 27

WILLIAM PRICE. [Seal.]
JOHN HARVIE. [Seal.]

Sealed and delivered in the presence of A. Blair.

J. AMBLER TO THE GOVERNOR.

The attempt to break into the Treasury and the insecurity of the doors and windows induced me to call on Mr. Quarrier to strengthen them. This was done with the approbation of the Governor, and I trust will be approved by the Honorable Board.

Feb. 1

I am, &c.

LUDWELL LEE TO THE GOVERNOR.

Acknowledging receipt of Resolutions of the State of Maryland and of this State upon the subject of their boundary line.

Feb. 1,
Fredericksburg

THOMAS LEE TO THE GOVERNOR.

I have to acknowledge the receipt of your very polite letter accompanying the Commission for the 89th Regiment of Militia.

Feb. 1,
Park Gate

The purport of the present is to inform the Executive of the situation of the Commonwealth's Tenants on the Tract of Land under my management, commonly known as Bristow's Tract. Their rents are in Tobacco. The last was so bad a year for it that they have (as is generally the case in these parts) failed totally in making it, and unless I can be authorized to receive their Tobacco rents in cash, none will be collected

1797.
Feb. 1,
Park Gate

from them this year. The price of Tobacco is now very high, and what little there is the merchants hold and will not part from it. Several of the Tenants have offered me the cash, but I have not thought myself authorized to receive it. I shall be glad to receive some instructions on this head if they are thought to be requisite.

With sentiments of respect and esteem, I have, &c.

BENJAMIN WILSON TO THE GOVERNOR.

Feb. 2

Enclosing recommendation of County Court of Harrison of Moses Sutton, James Pewthner and Francis Pallen, one of whom as a fit person for Coroner of said county.

JOHN BRECKINRIDGE TO THE GOVERNOR.

Feb. 2,
Buckingham

Your Excellency's letter of the 20th ult., with the inclosures, I have received.

I apprehend I am not at liberty (being Atto. General for the State of Kentucky) to advocate the claim of this State. This is the result of my present reflections on the subject, altho' I am not so situated as to make up an accurate opinion.

Were not the lands in that quarter ceded by the Gen'l Government to the Chickasaw Indians? I think you will find they were; and if so the legal claim of this State with many others are, I presume, thereby extinguished.

I am, &c.

H. B. BROOKE TO THE GOVERNOR.

Feb. 4,
Brookby
Front
Essex

Recommending Thomas Callis as supervisor of the building designed for a Penitentiary House.

W.M. MARSHALL, RICHARD ADAMS, W.M. MAYO, REUBEN GEORGE, THOS. ROSSER, JUSTICES, TO THE GOVERNOR.

Petition for the pardon of a negro man named John, convicted in the Henrico Court for burglary. Extenuating circumstances shewn.

ROBERT BEVERLEY TO THE GOVERNOR.

Feb. 8,
Blanfield

Recommending Thomas Callis as superintendent of the building of the Penitentiary House, and also as carpenter and architect.

FRANCIS CORBIN TO THE GOVERNOR.

Recommending Thomas Callis as architect and builder of the Penitentiary House. 1797.
Feb. 8,
Blanfield

W. GATEWOOD TO THE GOVERNOR.

Recommending Thomas Callis as the supervisor of the public buildings at Richmond. Feb. 8

JAMES SWAN TO THE GOVERNOR.

Offering to supply the State with 4,000 stand of arms, including all appendages, delivered at Richmond, at thirteen dollars each, or at twelve dollars and fifty cents if the money is advanced for as many as that money will pay for, he giving ample security therefor. The State to furnish powder and ball wherewith to prove the arms, and Swan to pay no duty to General Government. Five muskets to be prepared by the State to serve as models and standard. If the State concludes to import arms Swan renews his first offer to furnish 20,000 stand. Feb. 10,
Boston

JACOB COOKE TO THE GOVERNOR.

Offering to bring to Richmond a musket as a sample, and promising proposals for manufacturing arms for the State. Feb. 13,
New London

JOHN MINOR, JR., TO THE GOVERNOR.

Consenting to attend to the business of the Commonwealth against Orr & Greenless, as requested. Feb. 13,
Fredericksburg

WM. NELSON TO THE GOVERNOR.

On enquiry I find there are no cannon at Gloster Town. There are at this place two twenty-four pounders of Iron, but no twelves. These are in some measure buried in the sand, tho' I think they will be found to be well worth attending to. Feb. 19,
York

I am, &c.

JAMES PENN TO THE GOVERNOR.

1797.
Feb. 20,
New London Suggesting the retention of the New London Armory, established and operated by the U. S. Gov't under Jos. Perkins, Super't, and about to be given up by the Gen'l Government with the operatives there for the use of the State for manufacturing the arms needed.

Feb. 20 John Fox ordered by County Court of York to be recommended as assistant Inspector of Tobacco at York Warehouse in the room of Francis Lee, promoted to Inspectorship.

ROBERT BROOKE TO THE GOVERNOR.

Feb. 21 I am honored with your Letter of yesterday with its inclosure, and beg leave to observe that the lands therein referred to are within the Territory ceded to the Chicasaw nation by Treaty, of which, I have no doubt, the legal claim of this State must be extinguished, for to contend for it would be to insist on a right without a remedy, as I presume there is no authority now extant which is competent to complete the title. I am induced also to suppose that the Commonwealth of Virginia has an equitable claim on the Gen'l Government for lands of an equal value or a pecuniary compensation, the cession having been made of her right without her priority or assent. To bring forward, however, their claim with propriety and a prospect of success, it will be necessary to obtain such a description of this entry as to shew unequivocally that it lies within the limits of this cession whether the papers which we already possess are so explicit or not I do not now recollect, as I did myself the honor to return them to your Excellency.

Should the Executive concur with me in opinion that the claim exists against the General Government it will naturally occur that it must be made to Congress through our representatives there.

I have, &c.

WILLIAM STRODE TO THE GOVERNOR.

Feb. 28,
Richmond Proposing to make Cartouch Boxes separate from Muskets, at one dollar and twenty cents each.

Jos. EGGLESTON TO THE GOVERNOR.

I find from your instructions to Mr. Wiley, that the Executive "require a letter from the President accompanied with a list of the officers and a certified copy from the Clerk of the two requisitions, before they think themselves authorized to direct payment" on the shares held by the State in the Appomattox Company.

In order to comply as nearly as I can with this direction, I have enclosed a copy certified by John Royall, the Clerk of the various requisitions which the Trustees have thought necessary to carry on the work entrusted to their management, and in conformity to the law of 1795, they appointed Richard N. Venable, John Finny, Edward Mumford, John Epperson and myself to act as Superintendents, being of their body. The Superintendents have appointed no President, but as they live dispersed and your letter has been handed to me, I have taken the liberty of giving the information required, on the supposition that it may answer the purposes intended by your honorable board.

When the superintendents were appointed, John Wiley was also appointed Receiver or Treasurer, and John Royall Clerk, being two of the Trustees named in the law.

In the outset of the business it was found difficult to resort to any out of our own number, because men's inclinations were not well known. As the matter has progressed, Mr. Wiley has found it inconvenient to continue the Receiver, and Mr. Thomas Pride, who will deliver this letter, has been appointed in his place, being more disengaged from other business and of course more completely devoted to the service of the company. This will account for the change in the application to the Treasury. On the plan of economy, and thinking the business might perhaps be better done by one man, the Trustees have also appointed Mr. Pride their Clerk, so that any application he may make may safely be attended to without danger of fraud, or I hope of mismanagement. Mr. Pride has directions to draw no more money at any one time than the affairs of the company may make necessary at that juncture, and I hope no inconvenience will be found in complying with his drafts.

With the highest respect, I have, &c.

At a meeting of the Trustees of the Upper Appomattox Company on the 3rd of March, 1796, at the house of Joshua Chaffin, in Amelia:

Resolved, That the Receiver be directed to demand of every subscriber Ten Dollars on each share, to be paid on or before the first of May next.

Extract from the Records.

JOHN ROYALL, Clerk.

1797.
Feb. 28,
Amelia

1797.
Feb. 28
Amelia

At a meeting of the Trustees of the Upper Appomattox Company on Thursday, the 5th of May, 1796:

Resolved, That the Receiver be directed to demand of the subscribers Ten Dollars on each share on or before the first day of June next as a second requisition.

Extract from the records.

JOHN ROYALL, Clerk.

At a meeting of the Trustees of the Upper Appomattox Company, at the house of Joshua Chaffin, on Tuesday, the 1st of November, 1796:

Ordered, that the further sum of Twenty Dollars on each share be called for by the Receiver on the 1st of February next, as a third requisition.

Extract from the records.

JOHN ROYALL, Clerk.

THOMAS GRAFFORT TO THE GOVERNOR.

Feb. 28,
Alexandria

The Tobacco Warehouse at this place being discontinued, you will please give the necessary information for the disposition of public scales and weights.

Your, &c.

W. DUDLEY TO THE GOVERNOR.

March 1,
Warwick Co.

Though next in the commission and entitled to the office of sheriff, declines in favor of William Digges, Jr., who is next to him.

ROBERT SAUNDERS TO THE GOVERNOR.

March 1,
Williams-
burg

I should have replied to your Excellency's letter received a week or two since, if I had not been confined and unable to make any enquiry relative to the subject of it till within a day or two past.

Altho' I do not hold the appointment which your Excellency seems to suppose (that having been some time since superceded), I have been and always shall be desirous to communicate any information or render any services which your Excellency may think proper to require of me and I can afford.

There are within the town one twelve-pounder and three nine-pounders—the former spiked and without trunnions; the latter standing in the street in place of posts, filled with dirt and other matter. I have not found any person here who had any knowledge in gunnery, and therefore cannot give your Excellency any accurate information as to the con-

dition of them. I have been told that attempts have been made to drill the largest cannon without effect, and the others appeared to be greatly injured by time, and being covered in dirt I rather think they would not be worth the expence of refitting and transportation. If your Excellency shall think proper to direct anything to be done with them I will endeavour to comply with any directions with great cheerfulness.

I have, &c.

1797.
March 1,
Williams-
burg

The subscriber will furnish any number of Cartridge boxes the Executive may think proper to call for, similar to the one now presented, at the price of one dollar each; but if they contain twenty-four holes instead of twenty-nine, at ninety-six cents each. If the Executive should approve of either of the boxes under their inspection, they will be furnished at the prices stated in my former proposition.

March 1

JOHN TINSLEY.

STEPHEN SOUTHALL TO THE GOVERNOR.

Applies for superintendency of the building to be erected in Richmond.

March 2,
Henrico

W.M. PRICE TO THE GOVERNOR.

Asking increase of salaries of clerks in his office.

March 6,
Land Office

Powhatan County, to-wit:

I do hereby certify that Thomas Turpin, Gent., late Sheriff of the County aforesaid, departed this life on the night of the 10th Instant, (March).

March 7

Given under my hand this 11th day of March, 1797.

ABNER CRUMP, C. P. C.

THOS. AND JOHN KETLAND TO A. BLAIR, ESQ'R.

We have again presumed to address you by our friend Mr. Samuel Myers, who will hand you this to solicit a sight of the Standard Musket Philadelphia as early as possible; or if you may judge it needful, one of us will be happy in waiting upon you at Richmond whenever the sample may be prepared in order to close the contract.

March 8,
Philadelphia

The favor of your reply will oblige, Your &c.

FRANCIS PEYTON TO DR. WM. FOUSHÉE.

1797.
March 10,
Alexandria

Enclosing a petition from numerous citizens of Alexandria, to be presented to the Governor without delay, praying the reprieve of a negro man slave Tom, the property of John Clarke of Prince William, condemned by the Corporation Court of Alexandria to be hung on the first day of April next, for the crime of Burglary, and promising the extradition of said Tom beyond the limits of the United States.

At a Court held for Powhatan County on Thursday the 21st day of July, 1796:

Littlebury Mosby, Thomas Turpin and William Bentley, Gentlemen, were recommended as fit persons to execute the office of Sheriff of this County.

Teste:

ABNER CRUMP, C. P. C.

F. L. DAUBCOURT TO A. BLAIR.

March 11,
New York

Offering to have arms manufactured in Europe for the State.

JOHN KEY TO THE GOVERNOR.

March 11

Praying the remission of a fine of one hundred and twenty dollars obtained in the General Court on account of a balance of an execution against James Kerr, late Sheriff of Albemarle, for the year 1794, with explanations.

CREED TAYLOR TO THE GOVERNOR.

March 12,
Cumberland

Informing the Governor of the capture of the murderer, Richard Adams, of Halifax, in North Carolina, in order that the Governor might demand his surrender after his acquittal there.

WILLIAM LINDSAY TO THE GOVERNOR.

March 16,
Norfolk
Collector's
office

Informing the Governor of reasons for suspecting that the schooner Neptune, owned by Louis Bouquet and Geo. Miller, commanded by the former, of being fitted out for a privateer. Enclosing the result of the Surveyor's examination.

SURVEYOR'S OFFICE, *March 16, 1797.*

1797.

SIR:

March 16

Agreeable to your instructions of this morning I caused the schooner-boat Neptune (Capt. Louis Bouquet) to be arrested, hauled into Willock's dock, and stripped of her sails. Capt. John George, the acting Inspector, hath reported to me that, upon the strictest investigation and search, he finds that she was fitted with rails and stanchions around her waist, that she is about 18 tons burthen, and that she had on board two cutlasses and one musket. The cutlasses were owned by two passengers and the musket by the master. That he overhauled the lading and ballast of the said boat and made a minute search, but found no other warlike apparatus or equipment on board.

I am, &c.,

DANIEL BEDINGER, Surveyor.

Wm. Lindsay, Esq., Collector District of Norfolk and Portsmouth.

RICH'D ADAMS AND OTHERS TO THE GOVERNOR.

Informing him of the existence of small-pox in the City Jail, and asking to have some temporary receptacle provided for prisoners. March 18

JAMES SWAN TO THE GOVERNOR.

I rec'd your Excellency's letter of the 3rd Inst., and note that my offer of supplying the 4000 stand of arms at 13 dollars is accepted, but that the Import dutie is not to be born by the State, only that influence shall be used with the Federal Government for a remission of it. This dutie, being 15 per Cent. ad valorem, is what I can't bear. I have no doubt that the State will obtain a remission of it, but I do not chuse to leave it at my risque. It amounts to 7,800 D'rs.

March 22,
Boston

I believe that import was meant to apply to fowling pieces, side arms, &c., for private use, but never to arms destined for the protection of the States. I have empowered Robt. Pollard, Esq., my particular friend and agent at Richmond to enter into the contract with you in behalf of the State of Virginia with the exception or obligation on your part that the impost be not borne by me if any be demanded; that the expense of proving the arms also be at the State charge; that recommendatory letters be had by you from the Federal Executive to the Belligerent powers now at War for passports for those arms, and that if the war continues and such passports cannot be obtained in consequence of such recommendations, that then the time of delivery at Richmond be prolonged. On this head I presume there will be no difficulty, but if there should,

1797.
March 22,
Boston

and as there is an absolute prohibition against exporting arms from the European States, it is improbable I should act contrary to it.

These are the only things I have mentioned to Mr. Pollard excepting this, that in case 4000 black walnut stocks cannot be had, that good white oak be furnished in their place. This I shall try to avoid, as white oak is dearer than walnut, but it may not be procurable.

I presume, Sir, you will find no difficulty in adopting these. I assure you I wish to go on with the contract, and more so as I expect to have the supply of the whole 20,000 stands, and I think the war must cease this year; otherways the total dissolution of all powers is probably to take place.

With much respect, I have, &c.

HARRY TOULMIN TO THE GOVERNOR.

March 23,
Kentucky,
Secretary's
Office

In obedience to the directions of the Governor of this State, I have the honour to inform your Excellency that your letter of the 22nd of December, 1796, inclosing an unauthenticated copy of two resolutions of the General Assembly of Virginia respecting the establishment of a boundary line between that State and the State of Kentucky, have been this week received.

The Governor will do himself the pleasure to communicate the same to the Legislature of this State at their session in January next, and regards it as a subject of regret that owing to the late suspension of our intercourse with the eastern country so long a time must necessarily elapse before a final adjustment can be made of the difficulties arising in the establishment of the boundaries of the sister States.

He charges me to express his hopes that your Excellency has received the resolutions relative to the same subject which were lately adopted by the General Assembly of Kentucky.

I have, &c.

JOHN CONNELL TO THE GOVERNOR.

March 25,
Brooke Co.

Since I had the pleasure of seeing you in Richmond I have been among the Delaware Indians, who treated me with friendship, and from their conduct evince a disposition to continue at peace with the United States, altho' solicited to the contrary by the Spaniards (or their agents) from whom they informed me the nations had received a belt and speech, purporting that the United States had deceived them in the treaty made by Gen'l Wayne, and which they (the United States) would not abide by. I assured them the contrary was the intention of the United States

that they were determined to fulfill the Treaty, for which purpose ample provision had already been made by Congress to carry the same into effect, and further endeavored to show that it was the interest of them (the Indians) to cultivate a lasting peace with the United States, whose friendship they might safely rely on. They appeared well satisfied, and told me they had concluded to plant corn and hunt this season on the Muskingam.

1797.
March 25,
Brooke Co.

I find they are displeased with the people of Muskingam for killing a Delaware Indian last October (which circumstance I think I mentioned to your Excellency when at Richmond). The people of Muskingam says it was some person living on the Virginia side of the Ohio. I assured the Indians that your Excellency would do everything in your power to bring the murderers to justice. Therefore I would beg leave to urge the propriety of issuing a proclamation, which in my opinion will tend to conciliate the minds of the Indians and compel the perpetrators to flee the State or suffer if taken. Should this also be the opinion of your Excellency and Council, I wish you to forward some of the hand-bills that I may be enabled to show the Indians the friendly disposition of our Government.

An answer by Capt. Sutherland; or otherwise, will be gratefully acknowledged by

Your, &c.

WILLIAM GILES TO THE GOVERNOR.

Proposing (in answer to advertisement) to lay bricks in the Penitentiary House at 20s. per thousand.

March 27,
Richmond

We, Mathew Pierce, Sheriff of York county; John Moore, Deputy Sheriff, for John Burton, Sheriff of Accomack; Peter Bowdon, Sheriff of Northampton; Robert Armistead, Sheriff of Elizabeth City; William Digges, Sheriff of Warwick; Peter B. Whiting, Sheriff of Gloucester; Ritchie Ayres, Deputy Sheriff, for Richard Gregory, Sheriff of Mathews, comprising one entire District, entitled by law to elect a member of the House of Representatives of the United States. do hereby certify and make known that at an election held on the twentieth day of March, one thousand seven hundred and ninety-seven, at the place of holding elections in our respective counties, pursuant to law, the electors qualified to vote for the member of the House of Delegates caused to be chosen one person, to-wit: Thomas Evans, to represent the said District as member of the House of Representatives for the United States. Given under our hands and seals this twenty-seventh day of March, one thousand seven hundred and ninety-seven.

[Signed and sealed by the officers above named.—ED.]

ANTHONY WALKE TO THE GOVERNOR.

1797.
March 28,
Princess
Anne,
Kempsville

There is an evil here which may be productive of considerable inconvenience if not checked in the beginning, and of which my duty calls upon me to inform you. Sailors frequently desert from the English and French ships of war, and as soon as they proceed a few miles into the country the inhabitants facilitate their escape. On Thursday last the British Consul applied to me, as a Justice of Peace, to aid four officers from a ship lying in Hampton Roads who were pursuing seven deserters. In conformity to the President's proclamation, I thought myself bound to see that these men should be given up if to be found, and told a Constable that he should be well rewarded if he would exert himself in apprehending them.

Several citizens collected together in Kempsville, and one of them, I am told, threatened to raise a party and rescue them if taken, and the rest came into one opinion, that the civil officers ought not to interfere. Some of the deserters had arrived at Great Bridge, and I accompanied one officer thither, where a man undertook to arrest them and bring them to Norfolk; but some of the inhabitants there also were disposed to favor their escape. The Captain observed to me that he was now desirous of protecting our trade, but if we did not deliver up his deserters that he would take an equal number of men off of our vessels. This is indeed to be expected as the natural and inevitable consequence.

You and the Council may perhaps judge it expedient to make public your sentiments on this subject. At least let me hear from you.

I am, &c.

N. B.—If an American had been among them I agreed with the Captain to release him.

GUST'S SCOTT AND ALEX'R WHITE TO THE GOVERNOR.

March 29,
Washington

Recommending George Hadfield, a superintendent of public buildings at Washington, as a person for furnishing plans for public buildings for the State at Richmond.

ROBERT QUARLES TO THE GOVERNOR.

March 31,
State
Arsenal

Inclosed you will receive the Quarterly Return of Arms, &c., at this place, which will be accompanied by the usual Pay Roll and account current of Expenditures for this Quarter. I consider the Gun Powder at this place a little damaged from having remained so long on hand, and it may not be inexpedient for the Honorable the Executive to direct that it shall be either sold or remade.

I flatter myself that in the course of the next Quarter, I shall begin to decrease the Expenses at this place by discharging some of my Ruff workmen, their work being nearly completed, and in the course of six or eight months I trust the whole of the present arms at the Arsenal will be in a state of complete repair. An advance of one hundred dollars, I presume, will be adequate to the next Quarter's Expenditures.

1797.
March 31,
State
Arsenal

I have, &c.

A Quarterly Return of Arms, &c., at the State Arsenal.

1 Mortar, 1 6 Pounder Brass, 1 4 Pounder Brass, 1 Iron Piece of ordnance, 5531 muskets in complete order, 2268 muskets with ruff Bayonets, 126 muskets without Bayonets and Ramrods, 1117 muskets with Bayonets ground but not repaired, 210 Musket Barrels to be stocked, 400 Pickers and Brushes, 2936 musket worms, 129 Screw Drivers, 805 artillery swords, 293 Grenedeer Swords, 7 Barrels Gun Powder, 40 Pigs Lead, 181 case shot, 263 Round Shot, from 4 to 6 pounds, 3 Rheams of cartridge paper, 18 Bbls. Flints, 1653 lbs. Ball and Buck shot.

March 31

Work done this Quarter:

295 muskets repaired with Bayonets and Ram Rods, 121 Muskets fitted with Bayonets and Ram Rods, 420 Bayonets ground.

ARCH'D MCRAE TO THE GOVERNOR.

From the repeated solicitations of a number of active young Gentlemen of the County, I have been induced to take the liberty of addressing myself to you, Sir, for the purpose of procuring the necessary Commissions in order to enrole a volunteer Company of L. Infantry—there is an ample number of effective men to complete the Company, who are exceedingly anxious to enlist as soon as there is a competent authority to collect them; the prospects of an impending rupture between the two Republics, have created amongst them a laudable wish to prepare for their Countries' service, provided it should be required. I use the freedom then, Sir, of mentioning myself as Capt., Dr. Francis Harris as Lieut., and Peter Moseley as Ensign.

April 3,
Powhatan

Should the Executive think proper to honor us with the Commissions applied for, we beg the receipt of them as speedily as the Executive negotiations will permit.

We desire to be uniformed at the training of the Militia officers.

With profound esteem, &c.

BENJAMIN BEGGS, PHILIP DODDRIDGE, AND ZAC. SPRIGG TO THE GOVERNOR.

1797.
April 4,
West
Liberty

Testifying to the exemplary conduct of William Sutherland as a Justice of the Peace both before and since the insurrection in Pennsylvania.

JOHN STRODE TO THE GOVERNOR.

April 10 Proposing to manufacture arms for the State at eighteen dollars per stand.

AUGUSTINE DAVIS TO THE GOVERNOR.

April 11,
Richmond

Proposing to print for the State copies of the Acts of Congress of the last session at the price of £7.10 per sheet.

JOHN CONNELL TO THE GOVERNOR.

April 11 Testifying to the exemplary conduct of William Sutherland as a Justice of the Peace before the late insurrection and since that time as a citizen, and desiring his reappointment as a Justice, since he has been tried and acquitted of all improper conduct.

EDMUND RANDOLPH TO THE GOVERNOR.

April 12,
Richmond

I take the liberty of informing your Excellency that Doctor Philip Turpin sets up a title to the garden now in your occupation, and has advised with me upon his pretensions. As I am apprized that concerning public property claimed by an individual you will probably deem proper to consult the Attorney General, I trouble you now with this information merely to evince the respect with which I have, &c.

WILLIAM HUSTON TO THE GOVERNOR.

April 13, Washington
County

Informing of the escape from jail of that county of Samuel Nash, convicted of horse stealing.

ARCH'D STUART AND CREED TAYLOR TO THE GOVERNOR.

April 20, New London

Capt. Taylor and myself were favored with yours on the subject of our delegation and note its contents.

We are of opinion that, prior to a second meeting, the States must have time to pass laws securing the rights of individuals in the Territory which may be ceded by a compromise. This we suppose will more readily succeed prior to a compromise.

1797.
April 20,
New London

We have received a note from your fellow sojourner, Mr. Johnstone, which we inclose for your inspection. We shall be happy to hear from you from time to time on this subject, and in the event of our future movements we thank you for the accommodation you propose.

We are, dear sir, with, &c.

The Treasurer of the Hospital at Williamsburg is ordered by the Court of Directors to apply to the Executive for a warrant on the Treasurer of the State for four hundred pounds for the use of the Hospital.

April 21

WILL. RUSSELL, C. C. D.

ANDREW DUNSCOMB TO THE GOVERNOR.

Upon the question to my company yesterday relative to a recommendation of a gentleman to supply the vacancy occasioned by Mr. Shore's promotion, an unanimous suffrage was given in favor of Mr. Joseph A. Myers of this city. I have therefore to request a commission may issue in his favor as Second Lieutenant, and am, &c.

May 2,
Richmond

J. AMBLER TO THE GOVERNOR.

The repeated attempts to break into the public Treasury and its exposed situation render it absolutely necessary to take immediate measures for making it as secure as the circumstances of the building will admit of. A person would be continued constantly to lodge therein, but there is reason to apprehend he may at some time or other be waylaid by villains when going in or an evening and the keys wrested from him. The doors, it is believed, are now pretty well secured, but the window frames being made of thin plank only and kept in place by a very small portion of the brick work, may be taken out with great ease. They are so constructed as scarcely to admit of being made secure; if this could be done the wall itself under them is so thin that it may be penetrated without difficulty and in a few hours. I therefore beg leave to submit for the consideration of the Board the alterations proposed in the annexed paper; if they should be approved, the greater part of the expence attending one window, or two out of the five, may be saved if the light of two can possibly be dispensed with by raising a solid wall of brick

May 5,
Treasury

1797.
May 5,
Treasury

work within them. There may also be a considerable quantity of iron sold belonging to the present frames, which will lessen the expence.

The Honorable Board will pardon my troubling them on this occasion when they consider my very peculiar situation arising from the high responsibility attached to this department, and from my not being at liberty to take any measures myself for effecting alterations.

I am, &c.

Instead of those now in the Treasury, it is proposed to have solid window frames made of seasoned oak and in the most substantial manner possible, with strong iron bars well secured in them before they are put together, and the frames let so far into the main standing wall, and below into a solid substantial wall to be built up within the present recesses (the whole secured with iron bolts driven into the solid walls), as will effectually prevent their being taken out in the course of a night.

N. B.—Mr. Barrett will give in an estimate of the expence attending the proposed alterations.

THOS. NEWTON TO THE GOVERNOR.

May 5,
Norfolk

Your Excellency's favor of the 27th ulto. I received, and have made a purchase of five acres of land on the point I showed you when down last. It is a place detached from any other except by a road on one side which is little used. The price I have agreed for is ten pounds an acre, which — as low as whole tracts have been sold adjoining. I should recommend that ten acres be taken instead of five, which I can have if your Excellency approves of; the public will not lose by it, I think, as our lands rise daily.

A small house will answer all the purposes wanting for the present. The letter to the Escheator shall be delivered. I have not the pleasure of knowing what steps have been taken in the suits of Mr. Hamilton vs. Coll. Wilson and myself. We wished for some commissioners to take depositions if proper.

I am, &c.

EDM. THOMAS TO THE GOVERNOR.

May 9

Being appointed by the State of Kentucky, to receive all original papers, and to make a fair copy of the Records in the Land Office of Virginia, upon which the titles of Lands in Kentucky depend—which appointment with the powers therein given me, I herewith present to your Excellency, and beg leave to submit that as the extent of the business will require the employment of many clerks, and as there will not be room in the

Register's Office for both his Clerks and mine, that I be permitted to move the Records and papers coming within the description of my power into such office as I can conveniently provide, under such restrictions as your Excellency may think proper.

1797.
May 9

I am, &c.

JOHN HARVIE TO THE GOVERNOR.

Asking for a Draft on the Treasury for \$500, on account for Oyster shells (for lime) furnished by himself and Mr. Winston for building Penitentiary.

May 11

ROBT. YOUNG TO THE GOVERNOR.

Asking for an order on Supt. of Arsenal at Columbia, for the use of a field piece (4 Pounder) for the purpose of Drilling his Artillery Company in Louisa.

May 12,
Louisa

M. DUTAIEL TO GENERAL MATTHEWS.

I have just received a letter from his Excellency the Governor of Virginia in answer to that which I wrote to him on the 22nd instant (O. S.), in order to claim from him the execution of the regulations which were communicated to the Executive of this Commonwealth by the President of the United States, the 18th of June, 1794, and the 16th of April, 1795.

May 29,
Norfolk

The Governor informs me that he has confided to you the carrying into full effect those regulations.

I beg of you, sir, to let me know the measures which you shall have adopted with regard to the official demand contained in my letter to the Governor, the contents of which he did without doubt communicate to you.

Accept, sir, &c.

[Translation of a Letter filed with the Original.—ED.]

DUTAIEL, VICE CONSUL OF FRENCH REPUBLIC, TO THE GOVERNOR.

I had the honor of addressing to your Excellency a letter which the Secretary of State has written to the Consul General relative to the blockade of the two French frigates in the port of this town.

May 29,
Norfolk

In placing this dispatch before you I take the liberty of reminding

1797.
May 29,
Norfolk

you of my last letter to your Excellency, to which was joined the billet that I had received from General Mathews, and which remained without answer. I had demanded of this General if he had executed in regard to the English vessels which blockaded the two French frigates, the decision of the Executive power of the 18th of June, 1794, and April, 1795. The General has answered me not that he had executed these decisions, but that he would execute them if there should be occasion. Such at least is the sense of his answer if he wish't that it should have one.

But your Excellency will permit me to represent that yours is the only authority from which I ought to claim the execution of the decisions of the Executive power of the United States in what concerns the French Republic, and that I had nothing to require of the General whom your Excellency had charged with the execution of them, but that he should apprise me of the time of that execution.

Your Excellency will not be surprized that I now pray you to let me know yourself if the decisions in question are executed, because the French frigates ought not to sail until you have given me that assurance.

Receive, sir, &c.

THOMAS MATTHEWS, B. G., TO M. DUTAIEL.

May 30,
Norfolk

As I have received no information of any violation of the rules established by the Executive of the United States for the government of armed vessels belonging to any of the belligerent powers within my jurisdiction. I have not taken any steps respecting those rules; but as I feel the strongest disposition to support the rules established by the United States for the regulation of armed vessels within the jurisdiction of Virginia, I shall immediately communicate to the proper officers of the General Government such statement respecting the armed vessels at present in the waters of Virginia, as their situation from the best information I can receive will warrant.

I am, &c.

THOS. MATTHEWS, B. G. TO TIMOTHY PICKERING.

May 30,
Norfolk

I do myself the honor to enclose you a copy of a letter No. 1. received from his Excellency Governor Wood.

This letter was accompanied with a copy of the Rules established by the Executive of the United States for the Government of Armed vessels belonging to the Belligerent powers, within the jurisdiction of the United States, and the letter of communication from the Department of State on

the same subject, dated the 16th April, 1795. Shortly after the receipt of the Governor's letter, I received one from Mr. Dutail, French Consul of this place, a letter of which No. 2 is a copy. From the best information I have been able to obtain, the situation of the ships within the waters of Virginia stands thus—two ships of the Republic of France are at anchor near Craney Island in Elizabeth River, distance about five miles from this place; their force supposed to be one of 44, the other of 36 Guns; these ships have been in their present station for some weeks—about eight or nine miles from those ships due north are three British ships of war; their force said to be one of 36, one of 32 and the other of eighteen guns at anchor in Hampton Roads—these vary their situation I am informed frequently. From the Station of the ships, I can see no obstacle to either proceeding to sea at their pleasure under the restrictions of Government. Report says, but it is but report, that the British ships will pay no regard to the regulations made by the Government of the United States for the sailing of armed vessels. From their conduct (as far as I am informed) since their arrival here, I should be led to think the report without foundation.

1797.
May 30,
Norfolk

I have given you, Sir, every information in my power respecting this business, in compliance with my letter to Mr. Dutail; but as I have not received any information that the ships of either Nation have *taken their stations in the waters of Virginia, for the purpose of carrying on hostile expeditions from thence*, it appears to me that I am not warranted by the Rules to take any measures officially. I shall be happy in executing any orders you may think proper to forward on this or any other business.

I am, &c.

Articles of agreement entered into on the — day of May, 1797, between James Wood, Governor of the Commonwealth of Virginia, by and with the advice and consent of the Council, on the one part, and James Swan, of Boston, of the other part, contains the following stipulations, viz: That the said James Swan engages to deliver to such person as the Executive shall direct in the city of Richmond, within fifteen months from the date of this agreement, four thousand stand of arms with their accoutrements complete, as described in an advertisement made by the Executive, to conform to the model given by the Executive, with the seals of the Commonwealth and Robert Pollard, agent of Swan, stamped thereon. The muskets to be proved by a double charge of powder and ball before received. The stocks to be of black walnut, birch, or cherry. The Governor agrees to pay on delivery and receipt of said arms, Thirteen dollars per stand, to furnish the powder and ball for the proving arms, and to pay the import duties which may be imposed. He further agrees that the Executive shall use its endeavours to obtain from any of

May 30

1797.
May 30

the Belligerent powers from whose territory the said arms may be exported, permission for the exportation, and also a safe passport and protection from the Privateers or cruizers and ships of war of said Powers.

In testimony whereof, the Governor, in behalf of the Commonwealth, and Robert Pollard, in behalf of James Swan, set their hands and seals.

June 1,
Henrico

Alexander McRae this day qualified as a member of the Privy Council of Virginia.

M. DUTAIEL TO THOS. MATTHEWS.

June 1,
Norfolk

I have just received a letter from his Excellency the Governor of Virginia in answer to that which I wrote to him on the 22d ulto., O. S., in order to claim from him the execution of the regulations which were communicated to the Executive of the Commonwealth the 18th of June, 1794, and the 16th April, 1795, by the President of the United States.

The Governor informs me that he has confided to you the carrying into full effect those Regulations.

I beg you, Sir, to let me know the measures which you shall have adopted with regard to the official demand contained in my letter to the Governor, the contents of which he did without doubt communicate to you.

Accept, Sir, &c.

THOS. NEWTON TO THE GOVERNOR.

June 2,
Norfolk

Since my return from Richmond, I rece'd your Excellency's favor. I have engaged the land, and shall obtain Deeds as soon as I see Mr. Boush. I have also turned my thoughts on such a house that will answer for many years, and if in future it should be necessary to be enlarged it may be done at small expense—viz., a house 24 feet long, 20 wide, with a shed 10 feet wide, two stories high, a cellar of 7 feet deep, a passage 8 feet wide, two rooms above, with fire-places above, and in the cellar will answer for store-house, house of accommodation, and all that may be wanted for many years to come, and last as long as it will be wanted, as it will be built of brick and good timber for about 1000 or 1100 Dollars; the latter I have been offered, and think I can get it for the first. It will make but little difference between this house and a temporary one, as I have contracted the size and made it so that additions may be made hereafter with little trouble. I wait your Excellency's and the Council's pleasure, and could wish to know soon, as I think I could have the whole finished some time in August or Sep'r, when it may be wanted.

I am, &c.

MEMORANDUM OF CANNON BELONGING TO THE STATE AT FORT NELSON.

Fifteen 4-pounders, four 6-pounders (4-inch calibre), one 9-pounder (4½ calibre)—these I know belong to the State; thirteen 18-pounders (5¾ calibre), 4 12-pounders (5½ calibre)—I once thought these belong to the United States, but now I have reason to believe they belong to this State. They were brought in by Capt. Boritz, who lives at Edenton. From him your Excellency can get information who purchased them. I know the State was at the expense of bringing them from I. Quay to Nansemond, and from thence here, and if you will look at the charges the time Mr. Ed. Randolph was Governor, and his successor, you will find an account paid for bringing them here. If I can render any service please command me, and if times should require it I will undertake to collect the whole of the cannon and place them in safety, or where you may direct. One 18-pounder lies in Scott's mill-dam.

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June 2

Your, &c.,

THOS. NEWTON.

WILLIAM PRICE TO THE GOVERNOR.

The contractor (Mr. Wm. Price) for recording the plots and certificates of survey, as mentioned in your order of the 25th day of January last, has made a return of the records compleated under the said order. June 5
Land Office

They are in loose sheets and contain four thousand eight hundred and fifty-three plots and certificates of survey unaccompanied by the assignments made thereof except in a few instances. Enclosed are amounts of the stationery, &c., furnished for the above mentioned records.

I am, &c.

EDM. THOMAS TO WILLIAM PRICE.

As the Act of the Virginia Assembly which passed the 11th of November, 1793. made it a part of the Register's duty to examine, certify, and affix the seal of his office to the copies which may be taken by the agent for the State of Kentucky from the records in his office respecting lands within said State of Kentucky, and as a number of transcripts are already taken, it becomes necessary that they should undergo an examination. I have therefore to request you will attend as soon as convenient for that purpose. June 9

I am, &c.

WM. PRICE TO THE GOVERNOR.

1797.
June 12,
Land Office

Having just received a notification from Edm. Thomas, Esq'r, (of which the above is a copy) to attend the examination of the Transcripts made by him from the records of this office, relative to the Titles of Land within the State of Kentucky, and being altogether unable to comply with the same either in person or by one of my present clerks, without placing the business of my office in a very disagreeable situation, I must therefore beg the advice of the Executive on this subject for my better guide. It may also be necessary to observe that Mr. Thomas has in his present employment eight or nine clerks. To examine and correct their copying will be attended with at least the constant employment of one person from this office, even when assisted by Mr. Thomas.

I am, &c.

WILLIAM PRICE TO THE GOVERNOR.

June 12 Agreeably to your request of yesterday, I have examined the receipt Book containing a list of the plots and certificates of survey, delivered Mr. Wm. Price and others, (by his order) under the advice of the Council, dated the 25th day of January last, and find the number to amount in all to three thousand two hundred and forty—as no part of those Records have been transmitted to this office, I am unable (at present) to give information of their situation.

I am, &c.

THOMAS MATHEWS TO THE GOVERNOR.

June 19, Norfolk

Shortly after the receipt of your Excellency's letter of the 25th ultimo, I received from M. Dutail, Consul of the French Republic at this place, a letter of which No. 1 is a copy—No. 2 is my answer to M. Dutail—No. 3 is a copy of my letter to Mr. Pickering. As the Rules established by the Executive of the United States, have been communicated to the foreign Ministers, resident at Philadelphia, I did presume that their contents had been made known to the officers of their respective Governments, who visited the Ports of the United States. Under this impression, I did not hold it necessary that any communication should be made by me on this subject. Your Excellency's letter of the 14th, with a copy of a letter from the Department of State of the 6th instant, have determined me to forward to each commander officially, a copy of those Rules, accompanied with a request that they will communicate to me the precise time

they intend to depart from the waters of Virginia: Should this request be complied with, I shall then have it in my power to notify the same to the commanding officer of the adverse party, and by this means ascertain the violations if any should take place of our neutral rights. The intricacy attending this business, from our want of power to enforce obedience to the Rules established, makes it necessary for me to receive every information from your Excellency for my government.

The moment I receive answers from the different commanders, I shall enclose to your Excellency, copies of our correspondence.

I am, &c.

1797.
June 19,
Norfolk

JOHN STRODE TO THE GOVERNOR.

Desiring to be informed of the probability of the acceptance of his proposal for manufacturing arms for the State.

June 20,
Culpeper

THOS. MATHEWS TO THE GOVERNOR.

I do myself the honor to enclose to your Excellency my letter to the Commanders of the Ships of War within the jurisdiction of our State; likewise copies of their answers. This communication would have been earlier made had it not been for my absence from town when Major Marsh, whom I sent down with my letter, returned.

I am, &c.

July 10,
Norfolk

Circular.

NORFOLK, 21st of June, 1797.

SIR:

I do myself the honor to enclose you a copy of the rule established by the Executive of the United States to be observed by the officers commanding Ships of the Belligerent Powers within the jurisdictional line of the United States. This communication is made for the purpose of preventing any violation of the rights of the United States as a sovereign and independent neutral nation, and to secure to the vessels of either of the Belligerent Powers that protection which they have a right to claim from the Government of the United States.

July 10

Whenever, sir, you shall think it proper to notify to me your intention to depart from the jurisdictional line of the United States, I shall take the earliest opportunity to communicate the same to such officers commanding Ships of War of other powers as may at the time of such communication be within the waters of Virginia.

I am, &c.,

THOS. MATHEWS, Brig'r Gen'l.

To the Commanding Officers of the French and British Ships of War.

NORFOLK, June 24th, 1797.

SIR:

1797.
July 10

I have the honor to acknowledge the receiving this day your letter of the 21st inst. by the hands of Major Marsh, inclosing "A rule as to the sailing of Vessels of War of the Belligerent Nations from the United States." Be assured, sir. I shall pay every respect to the neutral situation of the American Nation, and shall conform accordingly.

Any notice to you of my movements would be highly improper. The moment of my departure depends on the respect which the British Ships of War now in the waters of Virginia (where they have been four months) shall pay to the "Rules" of the United States, which no doubt you are directed to have executed.

I am, &c.,

JOSHUA BARNEY,

Commanding the Ships of the French Republic in the Waters of Virginia.

Directed to Brigadier-Gen'l Mathews, Norfolk.

ASSISTANCE, LYNHAVEN BAY, 26th June, 1797.

SIR:

July 10

I am this morning honored with your letter by Major Marsh, inclosing a copy of the Rule established by the Executive of the United States, which Rule I receive as the law of all Neutral Nations, and which law is so strongly pointed out by the Government of the Country under which I have the honor to serve, and which cannot be violated while I am in execution of my duty.

The ships under my orders were under sail before I received your Notification, and will this day be on the outside of the Neutral line, if the winds and weather do not prevent them.

I have, &c.

H. MOWAT,

Senior Officer of His Britannic Majesty's Ships on the Coast of Virginia.

Directed to his Excellency, Brig.-Gen'l Mathews, Norfolk.

NAT. SHEPARD TO THE GOVERNOR.

July 23,
Treasury

I am unacquainted with the duties of the Treasurer so far as they relate to present situation of the Treasury, such a circumstance not having occurred since I have been engaged in business here; but suppose it not improper, as the Treasurer is absent, that I should inform you of the present state of the funds.

At present there are only about fourteen thousand dollars specie in the Treasury, and but little prospect of receiving any money of considerable consequence until about the middle of September, when we may suppose a considerable part of the Revenue of 1797 will be paid in.

I am, &c.

JAMES McHENRY TO THE GOVERNOR.

I have it in order from the President of the United States to lay before your Excellency the act herein enclosed, entitled "An act authorizing a detachment from the Militia of the United States," passed the 24th June, 1797. 1797.
August 1,
War Office

The object of this law being to provide and have in readiness a select and completely equipped and organized body of Militia fit for action in all respects, the President, in pursuance thereof, requests that you will be pleased to take immediate and effectual measures to organize, arm, equip, and hold in readiness to march at a moment's warning, the detachment required to be organized, armed, and equipped by the State of Virginia, agreeably to the said law, and the act entitled "An act more effectually to provide for the national defense by establishing an uniform militia throughout the United States," passed the 8th of May, 1792.

With a view to expedite the completion of the said detachment, the President has judged it expedient to authorize you to accept any independent corps of Cavalry, artillery, or Infantry as part thereof, provided they shall voluntarily engage as corps in the service.

As it will be desirable to know the measures which your Excellency may be pleased to adopt on this occasion, and from time to time the actual state of the detachment, it is earnestly requested that the Adjutant-General may be instructed to make such returns and communications to this department as may satisfy this object.

With great respect, I have, &c.

THOMAS CALLIE TO THE GOVERNOR.

From information this day received, I have reason to believe that the Honorable the Executive are not acquainted that the foundation of the Penitentiary House has been laid off and dug in a circular form. August 3

The laying off was done by Mr. Latrobe, and the digging executed by his direction, and, I presumed, without doubt, with the knowledge and approbation of the Executive. Mr. Latrobe continues to consider himself as engaged in the public service as a Director of it. I should be thankful for information of it that I may govern myself accordingly. I cannot myself conceive the necessity of such a character after the appointment which I have had the honor to receive, and can assure the honorable the Executive that I am not conscious of the want of ability to execute the task assigned me by that appointment or I would without hesitation resign it. I am willing to allow Mr. Latrobe all the credit due to his superior abilities, but I do not conceive that they are any further requi-

1797. August 3 site in the execution of the business in question. This, however, is humbly submitted to the wisdom of the honorable the Executive.

I have for two days past been extremely indisposed, but am to-day much better, and hope I shall in future be able constantly to attend my duty.

Mr. Mims is making preparation to commence the laying of the bricks to-morrow in the square part of the building, and I wait my instructions, which the Board may be pleased to honor me with on that occasion.

I have, &c.

JOHN S. MERCER TO SAM'L COLEMAN.

August 4, Stafford Co. Yours of the 5th of July, with its inclosures, was not received by me till yesterday, and that of the 7th of February, to which you refer, never came to my hands.

I have not yet been furnished with a list of the Captains of this Regiment, or of the counties in which their troops may be recruited; as yet only four returns have been made me—from Loudoun, Fauquier, Albemarle and Caroline. These troops appear to be full, but it will be hardly worth while throwing them into the form of a Regimental Return.

It may be proper to apportion the Regiment between the two Majors by squadrons—they would be inspected with more care, as these live distantly from each other and conveniently to the troops. If directed, however, to inspect them myself I will do it.

Difficulties have been suggested to me by some of the Captains on two points which may require the directions of the Com'r-in-Chief and the Executive—the one a refusal on the part of the county officers to pay the fines arising from the delinquencies in the Cavalry to the order of the Captains in whose troops they originated; the other I have temporarily solved myself, whether the officers shall enlist in counties within the district of the division of Militia to which they belong and in which there are no Troops, but in which they do not themselves reside. As I saw nothing in the law to prevent this, and as the Regiment seems to be intended to be commensurate in its extent with the Division of Militia, I directed they should make such enlistments till further orders.

This arrangement is perhaps necessary to the completion of the Cavalry, and I deem them of infinite importance to the defence of the State, being in fact the only Troops that will ever be found to act with efficacy in any war likely to be carried on within our country for a century to come. I beg leave to recommend the subject to the attention of the Com'r-in-Chief or the Executive.

I have, &c.